

MISSOURI ASSOCIATION OF FIRE CHIEFS

EXECUTIVE DIRECTOR REPORT LEGISLATIVE REPORT #7 2012 SESSION

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

***Items in red are new.**

THIS WEEK IN THE LEGISLATURE

The legislature continued with priority legislation, noted below. A strong focus on settling Senate redistricting maps occurred this week, showing progress on business climate issues, and finishing up review of the Governor proposed budget.

One situation worth reporting is billionaire Rex Sinquefeld indicated that his proposal to dramatically overhaul the tax code in the state by eliminating income tax in exchange for a higher and more broadly applied sales tax might be on hold until at least the 2014 election due to the public not yet accepting the proposal as a valid one.

The House heard their own versions of prevailing wage changes this week in committee, and have more hearings scheduled this week. As you probably expected, business groups supported and labor groups opposed.

More of the same. The legislature continued to pour over the budget, which will be the exercise for the next several weeks. No budget bills filed, nor any recommendations made by the sub appropriations committee.

The courts rescued the Congressional redistricting map from turmoil, one down, two to go. The House map is now under fire and arguments are set for the 10th. The Senate map is still up in the air, and awaiting a decision from the redistricting commission....that hasn't been appointed yet. Synchronize your watches.....now, T minus 22 days until filing opens and no senator knows for which seat they need to file. Filing day will make a great You Tube video.

The Senate and House continued "priority" week. The House briefly debated their version of the employment discrimination bill, but when the Senate gave initial approval to their version after a long filibuster concluded early Thursday morning, the House laid theirs aside. The House also debated but did not finish the voter ID bill, the courts struck down last year. The Senate worked all week on the employment discrimination bill and did finally get first round approval. It will be finally passed and sent to the House next week.

The bill making the legislature the gatekeeper on establishing a State Health Exchange is in the House and will be assigned to committee in the coming weeks. If passed by the House, it will bypass the governor and be submitted to the voters in November.

The big bill conspicuously missing from the debate calendar (Workers Comp reform) has now made it on, and may come up as early as next week.

BUDGET

There have been few bills filed thus far and even fewer bills related to the Fire service. The Governor will release his budget dealing with the shortfall on Tuesday. Watch for potentially more cuts in DFS (hope & pray not)

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: Will be heard this week in the House Committee on Budget

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: This bill was voted out of committee.

This bill was heard in committee. 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: . This bill will be heard on Feb 7th in Utilities.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: This bill was voted out of committee.

This bill was heard in committee.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: Referred to House Committee on House-Crime Prevention 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: Referred to House Committee on House-Economic Development 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: This bill was heard. 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 bill was voted out of committee with a substitute bill. 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: This bill was heard before the House Committee on House-Professional Registration and Licensing this week. The hearing was very contentious with multiple witnesses on each side.

This bill will be heard before the House Committee on House-Professional Registration and Licensing this week. 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: Referred to Committee Introduced

[HB 1458 Hinson](#) Changes various provisions regarding fire protection and emergency services. Allocates the DFS voluntary training and Certification, testing and recertification fee to the Fire Education Fund from General Revenue.

The bill requires any fire protection district director who has been found guilty of or pled guilty to any felony offense to immediately forfeit his or her office.

Currently, two or more fire protection districts may consolidate with each other only if the districts have one or more common boundaries, in whole or in part. The bill also allows two or more districts to consolidate if they are located within the same county, in whole or in part. The bill lowers the number of qualified signatures required in order to recall an officer of a fire protection district board from 25% to 15% of the number of voters who voted in the most recent gubernatorial election in that district.

Bill History: This bill was heard this week in committee. Jorgen testified in support and the chairman said the bill will be voted out next week. This bill will be heard this week.
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: Referred to House Committee on House-Economic Development Introduced

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

Bill History: Referred to House Local Government Committee. 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

NEW HOUSE BILLS

HB1683-Brattin, Rick Requires 911 operators to receive training on state laws regarding self-defense and defense of others. This bill all persons employed as a telecommunicator shall be trained in state law regarding self-defense and defense of others so that a telecommunicator has a basic knowledge of such laws in order to assist persons who are in imminent threat of serious physical injury or death.

In addition, for any civil damages as a result of giving such instructions, unless giving such instructions constitutes willful and wanton misconduct or gross negligence.

Bill History: This bill has not yet been assigned to committee.

SENATE BILLS OF INTEREST

[SB 469 Dixon](#) Requires a periodic review of all administrative rules and modifies provisions regarding the awarding of certain fees in administrative actions.

Bill History: On Senate Debate Calendar

[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: 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) - No opposition 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: A deal is closer than last week. This bill addresses the co employee liability issue as well as the occupational disease and second injury fund. A deal is in the making, which includes eliminating subrogation on certain occupational disease claims (unrelated to heart and lung for FF), and dealing with the second injury fund solvency issue in a separate bill. The subrogation debate began as a result of the "popcorn lung" case in SE Missouri. (The House will be hearing their own versions of prevailing wage changes this week in committee.)

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: Hearing held in Senate Transportation. Meeting set for 8:00 AM, SCR 1
Senate-Transportation 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: Referred to Senate Committee on Senate-Judiciary Civil/Criminal Jurisprudence Introduced

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

Bill History: Referred to Senate Committee on Senate-Financial/Gov. Org. and Elections Introduced

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

Bill History: This bill will be heard on Feb 15 in the Senate-Jobs, Eco. Devo. and Local Government Committee. 02-02-12 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government 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: 02-02-12 S Referred to Senate Committee on Senate-Ways and Means and Fiscal Oversight Introduced

[SB 698 Richard](#) Establishes construction contract bidding standards for political subdivisions.

Bill History: 02-02-12 S Referred to Senate Committee on Senate-General Laws

[SB 730 Schaefer](#) Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units.

Bill History: Hearing set for Feb 15th before the Senate-Jobs, Eco. Devo. and Local Government 02-02-12 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government

NEW SENATE BILLS

[SB 769 Kraus](#) Requires safety marking on certain anemometer. **This bill will be heard before the Senate Commerce Committee.**