

MISSOURI ASSOCIATION OF FIRE CHIEFS

EXECUTIVE DIRECTOR REPORT

12TH REGULAR LEGISLATIVE REPORT
FOR 2009 SESSION
APRIL 27, 2009

[Senate Bills](#)
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BUDGET

The budget is now in conference but not yet resolved as the House and Senate disagree on how to use the stimulus and stabilization funds. You may have read over the weekend the new House proposal to reduce the income tax rate by ½% which takes about \$1 billion. Jorgen believes the operating budget will get finished but the remainder of the bills outlining how the two big pots of federal dollars should be spent is less certain.

I have removed bills with no movement and/or no chance to pass.

FSA BILLS FOR 2009

#2-FIRE SAFE CIGARETTE

HB 205

Bill History:

Parson

This bill was placed on the Senate Debate Calendar and may be debated early next week. We had to change the definition of cigarette in order to exclude cigars.

#4-SB 711 FIX (SB174)

SB 174 Griesheimer Modifies provisions of law relating to property taxation.

Bill History: The Property tax fix as it relates to FPD's was amended onto the latest omnibus local government bill. I believe this bill has a good opportunity to get passed. The fix they placed in the bill was the 1984 hold harmless date. The senate also placed on the bill the requirement to revote your levy every 5 years and roll your levy back except for new construction. We have worked out a deal on this item as well to remove that second provision but will have to post the levy three times a year.

The following is what is to be changed in 137.03.

, in the aggregate, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. For the 2009 tax year, any political subdivision may levy a rate sufficient to generate substantially the same amount of tax revenue as was produced in the 2007 tax year from all taxable property, exclusive of any new construction or improvements attributable to tax years 2008 and 2009, except that such rate shall not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter approved tax rate.

11. Any political subdivision which levies a tax rate greater than the most recent voter-approved rate shall provide notice of such fact in a newspaper of general circulation within such political subdivision:

(1) No later than fourteen days following the setting of such tax rate;

(2) At least once between October 15th and November 15th of such tax year; and

(3) On the fifteenth day of December of such tax year.

12. For all tax years beginning on or after January 1, 2010, the county collector shall include in each taxpayer's tax bill the current tax rate and the most recent voter-approved tax rate for each purpose for each political subdivision located at least partially within the county levying a tax on property.

BILLS OF INTEREST TO US (FOR AND AGAINST)

CONSORTIUM BILL

FEDERAL REIMBURSEMENT ALLOCATION

[HB 459](#) [Schaaf](#) Creates a federal reimbursement allowance for ground ambulance services. This is the bill that will allow more federal dollars to be used for reimbursements to ambulance emergency services reimbursements.

Bill History: **SB 307 should hit the floor of the House today..if so we are still moving well against the clock. HB 459 which passed in the House 146 -8 had its Senate Committee hearing and was passed out of committee. Both versions are being corrected with minor changes and will thus be the same language.**

[SB 307](#) [Dempsey](#) Imposes a gross receipts tax on certain ambulance service providers. This is the companion to HB459.

Bill History: **SB 307 should hit the floor of the House today..if so we are still moving well against the clock. HB 459 which passed in the House 146 -8 had its Senate Committee hearing and was passed out of committee. Both versions are being corrected with minor changes and will thus be the same language.**

HAZARDOUS MATERIAL SPILL LEGISLATION

WE ARE OPPOSING THIS BILL.

[SB 462](#) - [Crowell](#) - [Heard](#)

No further action on this bill occurred this week. The proponents have sent us language attempting to negotiate this item, but it is too broad as it basically disallows any reimbursement be billed if any of the resources are publicly funded.

Modifies provisions pertaining to hazardous substance spills and emergencies. Under current law, when more than 50 gallons of petroleum, natural gas, natural gas liquids, liquified 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.

SB 7

Griesheimer

Requires communities to file one copy of any technical code adopted with the clerk's office to be available to the public, rather than three copies. **This bill is now the Omnibus Local Government Bill**

Bill History: The sales tax provision was removed from all the local government bills as it had too much opposition to clear the Senate.

[HB 580 - LINE OF DUTY COMPENSATION ACT - Bruns, Mark J.-](#)

This bill was voted out of committee and includes air ambulance personnel, but not corrections officers as was suggested during the hearing. The bill is not yet on the senate debate calendar.

OTHER BILLS WE ARE ASSISTING IN

[HB 103 –MUTUAL AID](#)

Bill History:

[Wildberger](#)

This bill was taken up for debate but included two other items that drew controversy. First the sprinkler in residential dwellings issue was attached which disallowed local political subdivisions from adopting the code prior to Aug 28th, 2011.

The bill was laid over until a deal was reached. The second issue is a provision establishing criteria for elevator inspectors.

Last week we did make an agreement with the homebuilders associations from around the state which states there will be a moratorium on enacting the residential sprinkler code until the end of 2011, which can not go into effect until Jan 1, 2011, and delayed implementation of sprinklers in condo's and duplexes to the end of 2011 as well.

In exchange the homebuilders agree that they will not seek an extension to the date or any other local restrictions regarding residential sprinkler ordinances other than what they can get each local political subdivision to agree to when adopting the code locally.

As this issue is resolved, this bill will be brought back up and the elevator inspector item will be removed and the agreed to language will be placed on the bill and our mutual aid bill will move forward.

INCREASE STATUTE OF LIMITATION ON ARSON

No Movement

Jorgen talked to the House Chairman of Criminal Law and he will include it in one of the Omnibus bills.

OTHER BILLS

The following is a list of bills that may affect the fire service in some way. There are several that we will be actively opposing.

SB99-Jane Cunningham (R) & SJR4

We are opposing this bill.

NO MOVEMENT

This bill was heard before the Senate Ways and Means Committee. Most likely dead for the year, but not ready to declare that until I see what happens with the property tax bill above (174).

No movement

03-04-09 S Hearing conducted

No movement

Assigned to Ways & Means

This bill & constitutional amendment would require the freezing of all property tax evaluations at the same level as they were in 2006. No reevaluation will occur until the property is sold. It will also allow only increases up to a maximum of 2 % per year in property tax for cost of living increases

SB 122 **Griesheimer** Allows members of an ambulance district board of directors to be subject to recall from office.

Bill History: **No movement**

04-08-09 H Voted do pass from committee on House-Local Government – This bill has also been incorporated into the new local government bill hb376

04-08-09 H Voted do pass from committee on House-Local

Election Laws

[HB 173](#) [Cox, Stanley](#)

We are opposed to this bill.

NO MOVEMENT

This bill was voted out but not before it was wounded by amendments. This bill has not been reported in yet, therefore not close to being eligible for floor debate.

[HB 316](#) [Jones-89](#) Changes the laws regarding the Open Meetings and Records Law, commonly known as the Sunshine Law.

Bill History: **This bill has passed the House and headed to the Senate. We will monitor it in the senate, but the knowingly standard was reinstated, therefore our major objections were eliminated.**

We are opposed to this bill.

NO MOVEMENT

[SB 494](#) [Griesheimer](#) Allows certain counties to seek voter approval for a sales tax to fund interoperable emergency communications – Introduced. This bill applies to St. Louis County. Under current law, any county which has established an emergency communications system commission may, upon voter approval, levy and collect a property tax to fund the establishment, operation, and maintenance of an emergency communications system. This act would give such counties the option to seek voter approval to impose the property tax or a sales tax not to exceed one-tenth of one percent to fund the establishment, operation, and maintenance of an emergency communications system. The Department of Revenue will collect the sales tax revenues and deposit them into the newly created county emergency communications fund for distribution to the counties from which they were collected

Bill History: **This provision was included in the local government bill. This is a fix for the st. Louis county communication system. The bill is in the House.**

No movement

03-02-09 S Referred to Senate Committee on Senate-Jobs, Eco. Devo. and Local Government

HB 591 Sutherland Authorizes voters to petition for an election to lower the tax rate ceiling of a political subdivision.

Bill History: This bill has been passed out of committee and is in the House Rules Committee.

03-12-09 H Voted do pass as substitute from committee on House-Ways and Means
HB1176

**WE ARE OPPOSED TO THIS BILL
NO MOVEMENT**

House Home Page. House Bill List. HB 1176. Establishes various duties, responsibilities, and powers for fire protection agencies. Sponsor:. Nance, Bob (36). Proposed Effective Date:. 08/28/2009. CoSponsor:. LeVota, Paul (52). etal..

No movement

HB 1145 Roorda, Jeff –

NO MOVEMENT

Changes provisions relating to ambulance and fire protection district taxes. The bill states;

99.848. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321, RSMo, shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment, and the ambulance district board or fire protection district board shall set the refund amount rate before the assessment is paid into the special allocation fund. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.