

HCS HB 795, 972, 1128 & 1161 -- COUNTY GOVERNMENT

SPONSOR: Johnson (47)

COMMITTEE ACTION: Voted "do pass" by the Committee on Local Government by a vote of 15 to 1.

This substitute changes the laws regarding county government. In its main provisions, the substitute:

(1) Prohibits any municipal official, member of a school board, or an employee of a school district from serving on a county board of equalization in counties with a charter form of government;

(2) Allows any second, third, or fourth classification county to set by ordinance countywide speed limits on roads within unincorporated areas of the county;

(3) Allows the salary commission of Cape Girardeau County in 2004 to determine whether to equalize the base salary of the county treasurer to an amount not greater than the current maximum statutory salary for treasurers in counties of the first classification;

(4) Authorizes all counties without a charter form of government to adopt certain ordinances or resolutions related to its property, affairs, and local government. These ordinances may then be submitted to the voters for approval. No county may pass an ordinance that governs any railroad, telecommunications or wireless company, public utility, electric cooperative, or municipal utility. Under current law, only counties of the first, second, or fourth classification may adopt ordinances related to their property, affairs, and local government. Currently, only counties of the first, second, or fourth classification are prohibited from adopting ordinances governing utilities; and

(5) Allows county commissions and industrial development authorities to use landfill fees for economic development within the county. Currently, these fees are used only by industrial development authorities.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters of HB 795 say that taxpayers sometimes feel intimidated by county officials and employees on the board of equalization. Some taxpayers will not file an appeal because they believe they can't win.

Supporters of HB 972 say that the bill gives second, third, and fourth classification counties the authority to establish speed limits that are more appropriate for the county.

Supporters of HB 1128 say that Cole County was given a similar opportunity to equalize the base salaries for all county officers last year, and Cape Girardeau County only wants to equalize the base salary for the county treasurer.

Supporters of HB 1161 say that the bill is a step toward greater autonomy for third classification counties.

Testifying for HB 795 was Representative Johnson (47). Testifying for HB 972 were Representative Cooper (120); and Missouri Association of Counties. Testifying for HB 1128 was Representative Lipke (157). Testifying for HB 1161 were Representative Smith (118); County Commissioners Association of Missouri; and Missouri Association of Counties.

OPPONENTS: Those who oppose HB 1161 say that allowing the initiative petition process would be too costly for third classification counties.

Testifying against HB 1161 were Howell County Commission; and Oregon County Commission.

Julie Jinkens McNitt, Legislative Analyst