

HCS HB 919 -- POLITICAL SUBDIVISIONS

SPONSOR: Schneider

COMMITTEE ACTION: Voted "do pass" by the Committee on Local Government by a vote of 11 to 0.

This substitute changes the laws regarding political subdivisions. In its main provisions, the substitute:

- (1) Requires compensation paid by a municipality for services performed for the municipality by a county officer to be paid only to the county. Currently, the compensation can be paid directly to and retained by the county officer in addition to his or her regular compensation (Section 50.332, RSMo);
- (2) Requires that when moneys are delivered to the public administrator by the county coroner, the public administrator will take charge of the moneys as specified in statute (Sections 58.500, 58.510, and 473.743);
- (3) Authorizes the county governing body to have exclusive control over the expenditures and operation of a regional recreational district located only in that county on land owned solely by the county (Section 67.797);
- (4) Authorizes the City of Gladstone to impose, upon voter approval, a transient guest tax of up to 5% on hotel and motel rooms to be used for the promotion of tourism (Section 67.1003);
- (5) Authorizes Franklin County to impose, upon voter approval, a transient guest tax between 2% and 5% per room per night in the Sullivan C-II School District to be used for the promotion of tourism (Section 67.1360);
- (6) Repeals language specifically permitting legally authorized representatives of landowners to serve on the board of directors of a Community Improvement District (CID) in the City of Springfield. Currently, this membership is already allowed statewide. Statewide, up to five legally authorized representatives of any of the CID property owners are authorized to serve on the board if there are less than five owners of property in the CID. Currently, this membership is authorized only in the City of Springfield (Section 67.1451);
- (7) Authorizes new construction in blighted areas in CIDs (Section 67.1461);
- (8) Clarifies that a CID election to impose a district sales and use tax is conducted under the CID laws, and not Chapter 115

(Section 67.1545);

(9) Allows the governing body of any county or city that has adopted transect-based zoning under Chapter 89 and the counties of Franklin, Clay, Jackson, Boone, or Jasper and their municipalities to form a theater, cultural arts, and entertainment district. Currently, only St. Charles County and its municipalities are allowed to form a district. The substitute also:

(a) Allows the district to fund infrastructure projects;

(b) Reduces the number of contiguous acres the district must include from 50 to 25;

(c) Requires, instead of allows, the governing body of the city or county in which a district is proposed to pass a resolution describing the district when a petition for its creation is filed;

(d) Defines the term "transect-based zoning"; and

(e) Repeals the duplicate of Section 67.2505 (Sections 67.2500, 67.2505, 67.2510, 89.010, and 89.400);

(10) Specifies that voluntary annexations by third class cities do not require voter approval (Section 77.020);

(11) Specifies that for industrial development project plans approved after May 15, 2005, in Boone County, all affected taxing entities must receive notice and payment in lieu of taxes, not just the entities in current law (Sections 100.050 and 100.059);

(12) Changes the deadline for county commissions to receive proposals and publicly open bids from banks regarding the selection of the depository of county funds from April 1 of each year to any date on or before the first Monday of July (Sections 110.130, 110.140, and 110.150);

(13) Authorizes a procedure by which the existing boundaries of a county library subdistrict may be expanded and the existing subdistrict tax rate imposed, upon voter approval, in the expanded area (Section 182.015);

(14) Changes the term of office for a person who is appointed to fill a vacancy on an ambulance district board from until the next annual election of board members to the remainder of the unexpired term of the replaced board member (Section 190.052);

(15) Requires members of ambulance district boards first elected

after January 1, 2008, to complete educational training within one year of their election. No board member can receive an attendance fee for any meeting unless he or she has completed the required training or does so within three months of the meeting (Section 190.053);

(16) Allows the City of Joplin to opt out of the jurisdiction of an emergency services board created under Sections 190.300 - 190.340; and if it does so, the city will receive 80% of the tax levied and collected under Section 190.337 within the city limits. The city is not required to establish a board under Section 190.327 or 190.328, but may require that all dispatching of emergency services operating within the city be provided by the city (Section 190.305);

(17) Specifies that fire protection districts, municipal fire departments, and volunteer fire protection associations will be the sole providers of fire suppression and related activities within their legally defined boundaries, unless their governing body authorizes another entity to provide those services. If authorization is denied to another entity, that entity can appeal the denial to the circuit court with jurisdiction (Section 320.096);

(18) Reduces the distance from any fuel dispenser that fireworks can be manufactured, stored, or sold from 100 feet to 50 feet (Sections 320.106 and 320.146);

(19) Defines "fire department" to include fire protection districts and volunteer fire protection associations as it relates to the laws regarding the jurisdiction and duties of the State Fire Marshal. Fire departments must file a registration form by January 30, 2008; and the State Fire Marshal may issue each fire department an identification number based upon the registration. A volunteer fire protection association is required to identify and register its boundaries with its county governing body (Sections 320.200, 320.271, 320.300, and 320.310);

(20) Specifies that fire protection district board members must reside in the district. If a board member is no longer a resident of the district, his or her seat is deemed vacant and must be filled according to statutory procedures (Section 321.130);

(21) Requires members of fire protection district boards first elected after January 1, 2008, to complete educational training within one year of their election. No board member can receive an attendance fee for any meeting under Section 321.190 or 321.603, unless he or she has completed the required training or does so within three months of the meeting (Section 321.162);

(22) Prohibits an investment firm, legal firm offering bond counsel services, or any person having interest in these firms from being involved with the issuance of bonds authorized by an election if the person or firm made direct or indirect financial contributions as defined to any campaign in support of the bond election (Section 409.107);

(23) Authorizes licensed ambulance services, emergency medical response agencies, and not-for-profit organizations which contract for ambulance services to establish peer review committees (Section 537.035); and

(24) Requires the cities of Rogersville and Springfield to abide by the terms of the November 15, 2005, settlement agreement between the cities relating to the involuntary annexation of certain real property located between the two cities (Section 1).

FISCAL NOTE: Estimated Income on General Revenue Fund of \$0 or Unknown in FY 2008, FY 2009, and FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the qualifications for a community improvement district board director should be uniform statewide.

Testifying for the bill were Representative Schneider; and Husch and Eppenberger.

OPPOSERS: There was no opposition voiced to the committee.