

# Legislative Bulletin



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## Down to the Last Month

As we enter the last four weeks of session, it's as if someone has blown a horn to signify the start of a race. The last month of session is much like the end of a strategic distance event. Some legislators will bide their time and wait for the finish to make a rousing kick or some come out strong in the beginning and hope to hold on down the stretch. It is an age old question as to which strategy works best and it seems the most effective tactic changes from year to year. Many of the big issues of the year such as Medicaid reform, the Budget and workforce issues (right to work, workers and unemployment comp and tort reform) are all coming to the forefront.

The Missouri Trucking Association (MoTA) is taking care of all of the day to day issues that arise every session. Currently we are opposing the implementation of a rotating list for tow operators used by the Highway Patrol. It is MoTA's position that a motor carrier should be able to call a tow company of their choice first and if there is no preference then leave it to the Patrol to call the company that can clear the scene in the safest, quickest and most efficient manner and not just whoever is next on the list. Hopefully all MoTA members know that you are able to apportion your property tax for the tractors and trailers the company operates. For decades, most assessors have followed guidance from the Missouri State Tax Commission that these pieces of equipment that only spend part of their time in Missouri should only be required to pay the tax for the time they operate here in Missouri. Over the past few years some MoTA members have run into some problems with a particular county so we will be drafting language that will make it mandatory that county assessors use the Missouri mileage percentage when assessing rolling stock so there should be no misunderstanding about the amount of property tax owed.

Highway funding remains as the most important and highest priority for those in the transportation community. As in the analogy above, there have been different methods proposed to address the funding shortfall and each way has taken a dissimilar path to reach passage. The early favorite was including highway infrastructure in a bonding program along with other state buildings such as universities, mental hospitals and parks. Early in session this idea received a lot of attention, but the need was much greater than the amount of bonding proposed. That idea sprinted out of the box and has faded down the stretch and probably won't be the method used to raise highway funds. Another idea had lagged back a little at the beginning, but now seems to be showing some promise down the stretch. This idea is the 1 cent sales tax dedicated for transportation with a 10 year sunset on the tax. The Senate has already passed this proposal and now all it needs is approval from the House. It was voted out of the House Transportation Committee last week and now awaits debate on the House floor. One problem with this is the Speaker of the House Tim Jones is not a big fan of this idea and it is up to him to put the bill on the calendar for debate. He has chosen not to do that so far. The only way this idea breaks away from the pack is to convince the Speaker that this idea is important to the transportation community and business of the state.

Help be a part of the kick that pushes this idea over the finish line. Call or email your legislator and call or email the Speaker of the House and ask that this proposal has an opportunity to be debated on the House floor. Policy and law is shaped by those who voice their opinion and get involved in the process. Become a part of the process - help us pass this important policy and send it to a vote of the people. If you have questions or need assistance making those contacts, call the MoTA office and we can assist you.

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- HB 64 (Burlison)** - Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually.
  - HB 77 (Burlison)** - Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices.
  - HB 145 (Gatschenberger)** - Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner.
  - HB 201 (Torpey)** - Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state.
  - HB 221 (Zerr)** - Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert - St. Louis International Airport.
  - HB 320 (Elmer)** - Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act.
  - HB 349 (Brown)** - Allows the owner of a property-carrying commercial motor vehicle to request and be issued two license plates.
  - HB 383 (Bahr)** - Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax.
  - HB 397 (Riddle)** - Authorizes a state and local sales and use tax exemption for specified titled manufacturing and mining equipment.
  - HB 415 (Phillips)** - Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate.
  - HB 466(Curtman)** - Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance.
  - HB 472 (Rhoads)** - Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts.
  - HB 531 (Bahr)** - Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are

funds paid to an independent contractor and not to an employee.

- HB 536 (Burlison)** - Creates a phased-in individual income tax deduction for business income and reduces the corporate income tax rate over a five-year period.
- HB 611 (Lant)** - Changes the laws regarding unemployment compensation.
- HB 687 (Colona)** - Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer.
- HB 690 (Korman)** - Modifies provisions relating to alternative fuel decal fees.
- HB 693 (Hough)** - Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the highway patrol to establish a rotation list procedure for requests for towing services.
- HB 740 (Korman)** - Extends the expiration date of certain hazardous waste fees to 2018.
- HB 771 (Schatz)** - Changes the laws regarding commercial drivers' licenses.
- HB 774 (Redman)** - Repeals obsolete, expired, and ineffective statutory provisions.
- HB 787 (Richardson)** - Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses.
- HB 795 (Kolkmeier)** - Changes the laws regarding the regulation of alternative fuels.
- HB 825 (Morgan)** - Specifies that any driver operating a motor vehicle on a highway, street, or roadway shall have an affirmative duty to remove accumulated snow or ice and shall be subject to a fine if he or she fails to do so.
- HB 976 (Schupp)** - Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions.
- HB 1013 (Korman)** - Imposes a tax on motor fuel equal to the greater of 17 cents per gallon or 6% of the cost per gallon of the motor fuel before any tax is imposed on it.
- HB 1014 (Korman)** - Gives the department of transportation the authority to set fees for drivers' licenses and license plates.
- HB 1031 (Parkinson)** - Modifies the corporate income tax imposed on Missouri businesses by reducing the tax rate to zero beginning in 2014.
- HB 1042 (Koenig)** - Determination of what are business activities within this state.
- HJR 14 (Jones)** - Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, land or building purchases, and transportation infrastructure.
- HJR 23 (Hinson)** - Proposes a constitutional amendment imposing a temporary, 10-year state sales and use tax for transportation projects.
- HJR 25 (Koenig)** - Changes the laws regarding taxes by phasing out the income tax and replacing it with a sales tax.
- HJR 28 (Marshall)** - Proposes a constitutional amendment guaranteeing the right to work.
- HJR 38 (Korman)** - Proposes a constitutional amendment establishing a miles-driven fee to be paid at time of registration of a motor vehicle and bans toll roads for a certain period.
- SB 1 (Rupp)** - Modifies the law relating to workers' compensation.
- SB 26 (Kraus)** - Modifies laws regarding taxation.
- SB 29 (Brown)** - Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks.
- SB 30 (Brown)** - Repeals all of the prevailing wage laws.
- SB 34 (Cunningham)** - Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database.
- SB 43 (Munzlinger)** - Increases the weight allowance for vehicles equipped with idle reduction technology from 400 pounds to 550 pounds to reflect change in federal law.
- SB 51 (Munzlinger)** - Modifies provisions of law relating to the regulation of motor vehicles.
- SB 62 (Keaveny)** - Increases the fine for seat belt violations from \$10 to \$50.
- SB 68 (Parsons)** - Modifies prevailing wage determinations for third class counties.
- SB 71 (Parsons)** - Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks.
- SB 76 (Brown)** - Bars employers from requiring employees to engage in or cease engaging in certain labor practices.
- SB 217 (LeVota)** - Modifies the process for replacing stolen license plate tabs.
- SB 282 (Wasson)** - Increases penalties for moving violations and traffic offenses occurring within an active emergency zone.
- SB 292 (Rupp)** - Allows for a refund for workers' compensation tax overpayments.
- SB 404 (Munzlinger)** - Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the highway patrol to establish a rotation list procedure for requests for towing services.
- SB 411 (Kehoe)** - Modifies Missouri's commercial motor vehicle law to conform with Federal Motor Carrier Safety Administration regulations.
- SJR 1 (Lager)** - Grants the General Assembly the power to limit by statute jury awards of noneconomic damages.
- SJR 16 (Kehoe)** - Imposes a temporary one cent sales and use tax for transportation purposes.