

# Legislative Bulletin



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## **State Auditor, Gubernatorial Candidate Tom Schweich Dies of a Self-Inflicted Gunshot**

Just before noon on Thursday, February 26, 2015, rumors swirled in the Capitol that Auditor Tom Schweich had been shot and was in the hospital. Not long after, the Senate and House adjourned. At 1:30 pm, they re-convened for a prayer service.

Schweich was an attorney who attended Yale University and then Harvard Law School. He served in government in several important government jobs from 1999 to 2008. He served as former Sen. Jack Danforth's lead investigations into Waco, Chief of Staff to three U.S. Ambassadors to the United Nations, Deputy Assistant to the real Secretary of State, and an ambassador to Afghanistan charged with fighting opium production and helping set up a judicial system that respected the rule of law.

Schweich was planning a run for United States Senator deferred to Rep. Roy Blunt to avoid a divisive GOP Senate primary. He then entered the race for State Auditor and won two elections. Recently, Schweich launched his Republican campaign for governor.

## **Director of Public Safety Resigned (excerpt from MoScout)**

Director of Public Safety Dan Isom resigned Wednesday, Feb. 25, after a very brief tenure. Sen. Jamilah Nasheed, who sponsored his nomination for the post, issued a statement of disappointment, blaming Governor Jay Nixon. "I am extremely disappointed that Dr. Isom must not have been given the leeway to make reforms necessary after the unrest in Ferguson. I sponsored Dr. Isom's nomination because I believe that he has the ability and experience to reform the justice system in the state of Missouri. The Governor needs to start taking responsibility for these needed reforms. This state needs leadership, and the Governor is not showing that right now."

Nixon named Peter Lyskowski as acting director of the department, and former Dunklin County Prosecuting Attorney Stephen Sokoloff as a deputy director. One source says that Andrea Spillars, the current deputy director, will be moving back to the governor's office.

This episode reinforces the knock on Nixon that it doesn't matter what position you have in the administration. If you're not in the inner circle (read: an attorney with history with the governor) you don't really have his confidence.

## **Next Generation Owners Operators Visit the Capitol**

The Next Generation Group visited the Capitol to represent Missouri Trucking Association this week.

They were able to attend the House Transportation Committee hearing where they were introduced to Chairman Glen Kolkmeier and Vice-Chairman Bart Korman. They then sat down with Representatives Hinson, Hough, Fitzpatrick, Rowden, Hill and Haahr to discuss business, transportation and politics in Missouri.

They finished the day with a tour of the Capitol, given by MoTA's own Tom Crawford, then joined a small group of legislators for dinner. To finalize their visit they met with Ed Hassinger, Chief Engineer and Scott Marion, Director of Motor Carrier Services from MoDOT to discuss the state of transportation in Missouri.

## **House Looks to Cut Legislative Research from Budget**

Speaker John Diehl, eliminated funds for legislative research through budget chair, Representative Tom Flanigan. Some are wary of this move due to the vast amount of work legislative research has in drafting legislation. They are also largely responsible for consent resolutions, securing fiscal notes, and making changes to already-drafted bills. Diehl has indicated that it is not the intention to eliminate legislative research jobs or to impact the accuracy or speed of fiscal notes. "The plan to reorganize Legislative Research is meant to optimize the resources of the House, Senate, and Joint Committee in order to remove duplicative government functions and utilize the services of staff members in a manner that more effectively adds value for legislators and taxpayers. The non-partisan professional staff serving the General Assembly work diligently to answer the needs of all members of the General Assembly."

Supporters say that legislative research has very little accountability. There has also been the occasional friction with legislators, particularly House members, and legislative research staff.

However, some legislators disapprove of the bill saying that having all bills drafted through House research may cause more difficulties for individuals on the Democratic side of the aisle.

## **Road and Bridge Taxes Legislation Voted Out of Committee**

Senate Jobs, Economic Development and Local Government Committee met this week and voted to pass SB 245, sponsored by Sen. Dan Hageman (R-Cosby). This act allows counties in which townships have been abolished to continue to collect a property tax on a county-wide basis for road and bridge purposes for either one year following the abolishment of the townships or until the county voters have approved a property tax for such purposes, whichever occurs first. The property tax must be the same amount as the property tax being levied in the township with the lowest rate immediately before the townships were abolished. This act specifies that the collection of the property tax is to be considered a continuation of a tax and not a new tax. The committee adopted a substitute which clarifies "total tax levy" and adds an emergency clause.

## **Bills to Regulate Tow Trucks Stalled**

Bills have been introduced in the House and Senate to further regulate towing companies and owners of tow trucks. The bills would add new requirements including displaying the business address in a location visible from the street, minimum two thousand square feet of vehicle storage space, minimum seven foot fencing around the vehicle storage space, minimum business hours for viewing and retrieval of stored vehicles, and maintaining a published and operational telephone and telephone number. Franklin County is added to the exempted county list. The legislation would also establish a requirement that the Missouri State Highway Patrol compile a rotational list of licensed towing companies for the purpose of calling tow trucks to the scene of motor vehicle accidents. Additionally, except in Kansas City, tows performed under Section 304.155 shall not be dispatched through a third party dispatch system unless hired by the towing company. Any tow truck operator who stops and attempts to tow a vehicle from the scene of a motor vehicle accident without having been called from the rotational list shall be subject to criminal penalties as described in this act.

House Bill 581, sponsored by Dave Muntzel, was scheduled to be heard this week, but when Rep. Muntzel got up to present his bill he asked that the hearing be delayed. Muntzel told the chairman he had been approached by several groups that were opposed in its current form and wanted more time to work with those groups.

Missouri Trucking Association had conversations with both Rep. Muntzel and with Senator Mike Kehoe's office, sponsor of SB 232 (the Senate companion bill), and we were among the list of interest groups that had problems with the legislation. We will keep you abreast of the developments with this legislation.

## **Partnership for Facilities and Infrastructure Act**

This week the House Committee on Government Efficiency held a hearing on HB 206 sponsored by Rep. Curtman (R-Franklin). This bill establishes the Partnership for Public Facilities and Infrastructure Act. The sponsor of the bill started the hearing with a video from a representative from Virginia who gave a brief overview of how public private partnership has worked in his state.

The committee chair and bill sponsor Rep. Curtman (R-Franklin) began his testimony by telling the committee that the bill is still a work in progress. Curtman plans on voting this bill, as is, out of committee next week, with the promise to the committee that he will present a House Committee Substitute to the House Select Committee on General Laws. He told the committee they will all be able to see the HCS and provide their own input, but handling the bill this way would be easier than trying to amend it in committee under the new committee process.

Rep. Curtman stated that many states and local governments are increasingly teaming with the private sector to modernize or deliver new public infrastructure assets through public-private partnerships (PPPs). PPPs can be utilized in two different ways. One, transportation, which this bill does not deal with and two, non-transportation-related public facilities like government building, schools, higher education facilities, wastewater plants and much more.

There are many reasons that states are turning to PPPs:

1. An alternative means to finance, design, construct, operate and or maintain public buildings.
2. It's a new tool in the toolkit and one that offers a way of bringing private dollars in to help finance public projects.
3. PPPs can allow projects to be completed faster and cheaper.
4. In a typical PPP scenario, the private sector develops the plans and bears the cost of designing the new building.
5. PPP agreements also include provisions that shield the government and taxpayers from risks like construction cost overruns and future operational and maintenance cost associated with the structure.

The sponsor concluded his testimony by saying that the passage of this legislation would place Missouri among the early state leaders on PPPs.

Testifying in support was Government Reform Reason Foundation – a Los Angeles based company that help advise state's on PPPs. Testifying in opposition was American Institute of Architects of Missouri who submitted suggested changes to the bill.