

# Legislative Bulletin



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## 2013 Session Approaching the Half-way Point

The General Assembly is just a couple of days away from Spring Break, which is the unofficial halfway point, and things are just now starting to ramp up. Session this year has seen an odd twist as the Senate is hard at work pushing bills over to the House and the House is being thoughtful and devising a plan of attack to get its priorities passed into law. Roles are generally reversed where the House passes a ton of bills and the Senate plays gatekeeper and decides which of the plethora of bills to act upon. Many capital veterans think this might be a savvy strategy by the House where they will for once be in control of what is moving late in session.

Transportation has certainly been a topic of discussion in the early months of session. One of the most important discussions going on in the 2013 Legislative session is whether or not Missouri should make a significant investment in our infrastructure and, if the answer is yes, what would be the most effective way for the state to collect those funds. Starting with a couple of givens, almost all elected officials believe MoDOT has done an excellent job with the funds they have been given over the last decade and almost every elected official thinks that our highway system is in need of upgrade and expansion. MoDOT has worked very hard over the past 20 years to earn back the public trust from past failures, and most would agree they have achieved that goal. Earning back Missourians' trust was an integral step in the highway funding discussion because if the citizens of Missouri didn't trust MoDOT then there is no way they would vote to give them several hundred million more dollars.

Two ideas have come to the forefront and both would be a boost to the Transportation Department. One idea is the use of a bond issue as the method of funding which would be a nice influx of money for MoDOT, but it is not a long-term solution. The other idea is to put before the voters a ballot initiative which would raise the state sales tax by 1 cent and after 10 years they would have to reauthorize the tax if they wanted it to continue. Any idea which is discussed has to be viewed through the prism of what would the voters of Missouri support and the list of tax increases that they would consider is very short and the one that is most likely to pass is the sales tax idea. Most members of MoTA would agree that government is too involved in our everyday lives whether it is personal or business, but state government does have a few things it should focus on and one of those things is providing a suitable highway system for the state. Two bills are currently moving that propose to increase the sales tax and tie it to transportation spending, HJR 23 sponsored by Rep. Dave Hinson and SJR 16 sponsored by Sen. Mike Kehoe. MoTA will work very hard to see that one of these two pieces of legislation are passed and the citizens of Missouri will have a chance to vote on whether or not they want transportation infrastructure to be a priority in Missouri.

Missouri has a very conservative General Assembly and many times even the mention of a tax increase make them a little squeamish. Contact your legislator and let them know how important good roads are to your company and your community. If you need help determining whom your elected officials are, contact the MoTA office and we will help. The warm up is over and the sprint to the finish is about to begin.

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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 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.
- 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 28 (Marshall)** - Proposes a constitutional amendment guaranteeing the right to work.
- 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.
- SJR 16 (Kehoe)** - Imposes a temporary one cent sales and use tax for transportation purposes.