

**SPRINGFIELD,
MISSOURI**



2017

**LEGISLATIVE
PRIORITIES**



**CITY OF
Springfield**



City of Springfield 2017 Legislative Priorities

The City of Springfield has identified major priorities on matters anticipated to come before state and federal lawmakers. These priorities have been approved by the Springfield, Missouri City Council.

The following priorities are established for the 2016 legislative session:

- Maintaining local control and avoiding unfunded mandates
- Protecting the natural environment
- Promoting economic development and fighting poverty
- Improving public health
- Maintaining public safety and Improving the Criminal Justice System

City of Springfield Mission

The people of our community are the only reason we are here. Therefore,

we are committed to **Working With the Community** to provide ethical and responsible local government so that everyone can enjoy the benefits of living and working in Springfield.



Broad Positions

In general, the City of Springfield opposes any bill that would result in a new net cost to the City of Springfield and/or its citizens.

In general, the City of Springfield opposes legislation that would reduce or remove local authority.

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2017 Springfield City Council

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Craig Fishel, Zone 4
Jan Fisk, General A
Kristi Fulnecky, General C
Craig Hosmer, General B
Ken McClure, General D
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City of Springfield Leadership Team

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Tim Smith, Deputy City Manager
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Bob Belote, Director of Parks & Recreation
Anita Cotter, City Clerk
Jeff Coiner, Director of Information Systems
Kevin Gipson, Director of Public Health & Welfare
David Holtman, Director of Finance
Steven Meyer, Director of Environmental Services
Darla Morrison, Interim Director of Human Resources
Nick Nelson, Director of Art Museum
David Pennington, Interim Fire Chief
Mary Ann Rojas, Director of Workforce Development
Frank Romines, City Attorney
Cora Scott, Director of Public Information & Civic Engagement
Dan Smith, Director of Public Works
Mary Lilly Smith, Director of Planning & Development
Doug Stone, Risk Manager
Chris Straw, Director of Building Development Services
Todd Thornhill, Chief Judge of Municipal Court
Zim Schwartze, Director of 911 Emergency Communications
Brian Weiler, Director of Aviation
Paul Williams, Police Chief
Larry Woods, Interim Director of Emergency Management



NEW LEGISLATION SOUGHT BY THE CITY OF SPRINGFIELD

Modify Certain Provisions from Senate Bill 5 (passed in 2015)

The City asks our local delegation to introduce and support legislation that will modify the unintended consequences to municipalities that are adversely affected by legislation directed toward municipal court policies and procedures in another portion of the state. The City understands that some counties may need to be treated differently than others, and the Senate Bill 5 provisions may be appropriate for some counties.

- Section 302.341.2's RSMo elimination of the FACT (Failure to Appear in Court for Traffic Violation) license suspension procedure (302.341.1) for "minor traffic violations" should be reversed and reinstated. Most "traffic violations" are "minor traffic violations." In lieu of this FACT process, arrest warrants are now being issued for defendants who fail to appear on minor traffic violations. The FACT process is much more gentle and provides a 30-day warning/grace period which gives defendants a chance to address their case before their license is actually suspended. Additionally, we have found a much higher compliance rate with the FACT process than with the warrant process. Under current law, arrest warrants are being immediately issued.
- Repeal sections 479.353(3) RSMo and 479.360.1(3) RSMo. Missouri Supreme Court Rule 37.65, effective July 1, 2015, comprehensively addresses how courts are to proceed procedurally in enforcing money judgments.

Meaningful Ethics Reform

The City of Springfield asks our local delegation to introduce and support legislation that will implement meaningful ethics reform within the General Assembly.

State-wide Tobacco Tax Increase

The City of Springfield asks our local delegation to introduce and support legislation that will increase the State tobacco tax. Missouri has the lowest tobacco tax in the country, resulting in a loss of potential revenue and increasing public health costs. Smoking is the leading cause of fires and fire deaths in Springfield. The City supports any additional revenue generated be dedicated to funding fire prevention and public health services.

Local Control of Tobacco Taxing Authority

The City of Springfield asks our local delegation to introduce and support legislation that will allow local jurisdictions to once again control the taxing of tobacco products. Tobacco products should be treated the same as other products when sold in the City of Springfield and subject to the same taxation like bread, milk or other products, and not exempted by current law.

Authorize an Increase in the City of Springfield's Municipal Court Cost

The Springfield Municipal Court's \$12.00 court cost has been the same since at least 1979. The resulting revenue does not fully cover the cost of these services, thus requiring a subsidization from the City's General Fund.

Update of Sunshine Law

The state's Sunshine Law needs to be updated to reflect new technologies, including social media. The City of Springfield requests an additional exemption for documents listing vacant and open buildings inside the City limits.

Revisions to dangerous building statutes

The requested changes will allow the use of UPS, FedEx, and other alternatives to certified mail in dangerous building cases; adds the board-up costs, unpaid permit fees, and associated costs to real-estate taxes in dangerous building cases.

Return Local Control of Telecommunication Tower Placement

During the 2013, 2014, and 2015 legislative sessions, special interests were able to get bills passed that removed a significant amount of local control from municipalities regarding telecommunication tower locating and permitting. The City asks our local delegation to introduce and support legislation that will return local control to municipalities.

Pay Day Loans

The City asks our local delegation to introduce and support legislation that will cap the amount of interest that can be charged by pay-day loan and car title loan companies that tend to prey on the poor. According to the State Commissioner of Finance's report to the Governor, the average interest rate for "pay day" loans in Missouri in 2014 was 451%.

Return of Election Dates

The City requests our local delegation introduce and support legislation that would return the February and June election options to local municipalities. The City feels the previous elimination of these election options was an erosion of local control.

Support for Water Quality Pollutant Trading

The City asks our local delegation to introduce or support concise legislation that will authorize water quality pollutant trading. Such trading will accelerate water quality improvements at the least cost to citizens of Missouri. Similar programs have been adopted in numerous other states with US EPA's support. This is necessary for Missouri to participate in Water Quality Trading. The City of Springfield is working with MDNR on this issue.

Internet Sales Tax

The City asks our local delegation to introduce and support legislation that will "level the playing field" by implementing a sales tax on Internet sales.

Clarify State Statutes on Nuisance Issues

The City asks our local delegation to introduce and support a bill that will clarify the state's intent to allow municipalities to recover costs associated with processing nuisance actions.

Medicaid Transformation

The City of Springfield asks our local delegation to introduce and support a bill to allow Missouri to implement major Medicaid transformation in a way that Missourians can support and that benefits citizens of our state in need. Medicaid transformation would have a significant positive economic impact on communities, including Springfield which hosts two large healthcare organizations (our region's two largest employers).

Community Service Support

The City of Springfield asks our local delegation to introduce and support language to modify the impact of SB 572 by once again allowing municipal courts to sentence to community service and require funding by those who can afford to pay for it.

Municipal Fine Cap

The City of Springfield asks our local delegation to introduce and support language to modify the impact of SB 572 by raising or eliminating the cap on municipal fines for a third or subsequent offense.

Chronic Nuisance Properties

The City of Springfield asks our local delegation to introduce and support legislation that will modify the provisions within SB 572 (passed by the Legislature in 2016) that require all tenants be personally notified when corrective action on the property is necessary. The City is seeking authority to collect all nuisance-abatement costs through the County Collector's Office, even when a property changes ownership. The City requests removal of the requirement of notifying tenants regarding nuisance abatement issues. The City is concerned about the requirement to publicly post the names of all tenants and, thus, requests removal of this public posting requirement.

Tourism Business Improvement District

Authorize cities to establish a self-taxing tourism district.

Protection of Private Medical Information

Update the Sunshine Law to protect private medical information of citizens recorded in Fire Department records and criminal investigations. Fire Departments are not currently covered by HIPPA.

Enhanced Enterprise Zones

Amend the Enhanced Enterprise Zone statute to allow full-length abatements to be granted any time prior to the expiration of the zone.

Public Health Emergency Fund

The City of Springfield requests that Congress establish a public health emergency fund, similar to the funds available to FEMA during natural disasters, to immediately respond to public health emergencies. Under current policy, the funds for public health emergencies are contingent upon congressional appropriations. This is a detriment to the fast, efficient response that is necessary in a public health crisis. In the Constitution, Congress has the power to “provide for the common defense and general welfare of the United States.” Establishing a dependable fund that is readily available during public health crises would promote securing said welfare.



MAINTAIN LOCAL CONTROL AND AVOID UNFUNDED MANDATES

Maintain Local Control

Preemption of local laws, including local taxing authority, limits the ability of local governments to deal quickly and effectively with problems which are of concern to local citizens. Decisions on which revenues should be collected should be left to local voters and officials who are the most accountable to the constituencies paying the tax and receiving the services.

Avoid Unfunded Mandates

The City requests that the state and federal governments not impose any unfunded mandates on local governments. While the state and federal governments will likely be tempted to force unfunded mandates on local governments and other entities as both wrestle with budgetary shortfalls, please consider that local governments are also grappling with their own budgetary shortfalls. We request that EPA and DNR, as well as all other federal and state entities capable of instituting unfunded mandates, consider community affordability and develop new, more comprehensive and accurate measures of community affordability than those currently in use.

Equitable Funding

The City encourages the legislature to ensure that State funds are distributed fairly throughout the State. To assist in covering the anticipated State budget shortfalls and fund other needed programs, the City supports the following revenue enhancement initiatives:

- Eliminate discounts for timely payment of taxes and change from a 2% on-time-payment discount to a 2% late-payment penalty.

Codes

The City opposes any attempts by the State to preempt local zoning and building or fire codes, particularly with regard to billboard regulations and right-of-way uses.

Personnel Issues

The City opposes any attempt by the State to preempt or change its current legal obligations and established framework regarding collective bargaining. The City should have final say regarding all personnel issues associated with its employees, including their wages, hours, and conditions of employment. The City opposes any additional presumption clauses mandating workers' compensation or pension benefits.

Hazardous Materials Cost Recovery

The City opposes the State usurping municipalities' ability to recover costs for providing hazardous materials responses.

Maintain Tax-Exempt Status for Bonds

The City supports retaining municipalities' tax-exempt status for bonds. Eliminating the tax-exempt status would cost our citizens millions of dollars in additional interest charges.

State Resource Reductions Resulting in Service Cuts

The City opposes deep cuts to the State budget that would result in a significant reduction of City or State services to Springfield citizens.

Erosion of Local Tax Base used to Fund Basic Citizen Services

During the past few decades, a number of special-interest "tax exemption" bills have been passed that erode the local tax base used to fund basic citizen services. The City requests that our local delegation oppose bills that further erode the local tax base and, in essence, override the will of local voters who have approved these taxes for specific purposes.



PROTECT THE NATURAL ENVIRONMENT

Energy Usage

Promote the efficient use of energy, seek alternate energy sources, and promote local food protection.

Protect our Air and Water Resources

The City of Springfield opposes cuts to the Missouri Department of Natural Resources' budget that will result in unfunded environmental mandates and cost shifting to cities and counties. The City requests that economic feasibility and affordability be considered and addressed in the enforcement of all unfunded environmental mandates. The City supports efforts to develop/ assure a long-term regional water supply and infrastructure.

Yard Waste in Landfills

The City of Springfield strongly opposes any effort to allow disposal of yard waste into sanitary landfills. The City has invested heavily in yard waste recycling to keep this type of waste separate from our sanitary landfill, which should be used only to store waste for which there is no re-use or ability to be recycled.



ECONOMIC DEVELOPMENT AND FIGHTING POVERTY

Strengthen Springfield's Ability to Compete for Jobs

Strengthen current economic development tools available to local governments to improve the State's ability to compete in attracting and retaining quality jobs. Protect existing job creation/retention tax credit programs and consider providing additional State tax credits and other financial incentives for projects that create and retain quality jobs and for capital investments in new or expanding businesses. The City of Springfield strongly encourages lawmakers to support and protect proven tax credit programs that are critical economic development tools used to stimulate employment and leverage private investments. We oppose efforts to reduce the effectiveness of such programs, including proposals to subject them to the annual appropriations process. The City of Springfield also encourages legislators to implement the findings of the Missouri Tax Credit Review Commission. The City of Springfield encourages the addition of a financial "But For" test to chapter 99 tax abatement programs.

Support Tourism Funding

Tourism is an important part of Springfield's economy, which the City promotes by marketing to leisure travelers as well as convention and sporting event sponsors. Protect existing funding, and support funding increases, for the Missouri Division of Tourism, so it can continue to offer its Cooperative Marketing Program.

Education and Workforce Development

Strong education and proven workforce development programs are critical components of economic development and efforts to combat poverty. The City supports sufficient, equitable State funding for K-12 and State-supported, higher education institutions. The City also supports dedicated funding to Workforce Development from the State's General Fund. We also support restoration of funding to the Parents as Teachers program and funding for other early childhood development initiatives given the documented link between early childhood development and economic development, public health, and public safety.

Transportation

Safe and functional road systems are essential to attracting and retaining businesses and promoting tourism. State and Federal fuel taxes, as well as other current and new sources of revenue, are essential to keeping pace with citizens' demands. Funding for multi-modal transportation is an economic development driver and should be restored to adequate levels in the State budget. The City endorses a state-wide funding mechanism to fund MoDOT's transportation needs. The City endorses a funding source other than a sales tax, which would further erode the City's and County's ability to fund critical local needs via sales tax. The City endorses State and/or Federal funding to support enhancements to Springfield's public transportation system.

Affordable Housing

Affordable housing is an important element in attracting and retaining an adequate workforce. Protect existing affordable housing programs and consider providing additional resources to support affordable housing.

Promote Downtowns

A community's downtown is an indicator of the health of any local economy and a significant factor in attracting and retaining young workers. Protect existing programs that provide incentives for the revitalization of historic downtowns and consider additional support.

Initiative Petition Process

Missouri is 1 of 17 states whose constitutions allow for initiative petitions. The City of Springfield encourages lawmakers to consider legislation that would ultimately enhance the existing process, ensuring a fair and transparent process for Missourians. Such changes could include the implementations of a bipartisan panel for review of the proposed ballot language and statewide public forums to allow citizens the opportunity to hear from opponents and proponents of the issue.

Broadband Internet Access

The City of Springfield encourages lawmakers to support legislation that improves broadband Internet access to all residents and increases digital literacy.



PUBLIC HEALTH

Funding

Adequately fund public health agencies and programs. Provide financial support for wellness initiatives as a proactive way to limit/reduce future public health costs.

Immunization Support

Recognizing that Missouri has one of the lowest childhood immunization rates in the country, the City of Springfield encourages the State to provide the Missouri Department of Health and Senior Services and local public health agencies the necessary resources to support proven mercury-free childhood immunizations.



PUBLIC SAFETY AND THE CRIMINAL JUSTICE SYSTEM

Funding

The City encourages the State to fully fund county jail expenses and supports measures to ensure reimbursement for the entire cost of housing inmates is paid to counties. The City of Springfield encourages the State to adequately fund all aspects of the justice system throughout the State, including the Public Defender's Office and Circuit Court judges.

Scrap Metal

The City encourages the State to implement a statewide statute to require scrap metal processors to report all purchases of scrap metal, with the exception of aluminum cans. Doing so would build on local efforts to combat the growing problem of metal theft by eliminating scrap metal thieves' ability to sell stolen metal to processors without having to provide identification.

Carrying of Concealed Weapons

The City of Springfield encourages our local delegation to oppose legislation that would further significantly alter the law regarding the Carrying of Concealed Weapons (CCW).

Prescription Drug Monitoring Program (PDMP)

The City of Springfield encourages our local delegation to support legislation to establish a statewide PDMP. As the only state in the nation without such a program, we are feeling the negative effects of the abuse of prescription narcotics (particularly opioids), the subsequent increase in the use of heroin, and the resulting overdoses and deaths.

Seat Belts

According to MoDOT, from 2012 to 2014, 66% of all drivers and passengers killed in traffic crashes were not belted, and that number rises to 74% for teen drivers and their passengers. Since these deaths and injuries are preventable by wearing a seatbelt and many municipalities within the state have already implemented similar requirements, a statewide primary seatbelt law is encouraged that would allow police officers to fully enforce seatbelt use.



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