

MID-AMERICA REGIONAL COUNCIL 2012 MISSOURI LEGISLATIVE AGENDA

BACKGROUND

The Mid-America Regional Council (MARC) is the association of city and county governments and metropolitan planning organization serving the bistate Kansas City metropolitan area. Each year, the MARC Board of Directors (33 local elected officials from the nine counties and area cities) considers and approves state and federal legislative platforms to guide agency advocacy efforts during the year. The issues are identified through MARC committees, and some issues continue to be concerns from last year.

Missouri

State Budget

- ❑ MARC recognizes that 2012 will be a challenging year for the Missouri General Assembly in balancing its budget with diminished state resources and increasing demands. The Kansas City metropolitan area and other urban areas of the state contain a large share of the state's business base, and are home to a substantial portion of the state's population. ***MARC encourages the Missouri General Assembly to consider the needs of the Kansas City area in its consideration of budget issues and possible reductions in state programs and projects.***

Transportation

- ❑ ***State legislators are urged to protect the integrity of state funding to address highway, major roadway and bridge infrastructure and public transit needs in the state and metro area.*** The need to identify new funding sources has been identified by local and state officials and other stakeholders. However, given a tight budget environment, legislators are encouraged to begin evaluation of new funding sources that could be implemented as the economy recovers.
- ❑ State legislators are urged to support the following traffic safety issues, which have been identified as priorities by the Destination Safe Coalition, including

Primary Seatbelt Law

Support passage of a primary seat belt law. Seven out of 10 Missourians killed in a traffic crash are unbuckled. Missouri's current seat belt law (307.178 RSMo) is a secondary law, which means that law enforcement officers cannot pull over vehicles solely for a seat belt violation. Missouri's 2010 overall seat belt usage rate is 76 percent, compared to 85 percent nationwide. National data demonstrates that seat belt use continues to be higher in the States with primary laws. The current law restricts law enforcement's ability to protect the traveling public and sends the wrong message to the public.

Texting Ban for All Ages

Broaden state restrictions on texting while driving to include all drivers.

Distracted driving is a serious threat safety on our public highways. According to National Highway Traffic Safety Administration (NHTSA) research, distraction-related fatalities represented 16 percent of overall traffic fatalities in 2009. Thirty states now have bans on text messaging for all drivers. In 2009, the Missouri General Assembly enacted a law banning texting while driving for drivers 21 years old and younger. Texting while driving is a serious distraction regardless of the age of the driver. Nearly one-fourth of all traffic fatalities involve distracted drivers in the greater Kansas City area.

Cell Phone Ban for Young Drivers

Enact provisions that restrict cell phone use for young drivers who lack driving experience under the graduated drivers licenses (GDL). The current GDL does restrict text messaging but not cell phone use. Twenty-eight states with GDL laws ban cell phone use.

Motorcycle Helmet Law

Maintain current state law requiring motorcycle helmet use. The universal motorcycle helmet law that was enacted by the General Assembly in 1967 has saved hundreds of Missouri lives. Based on studies of the effects of other states' enactment, repeal, or weakening of universal helmet laws, use approached 100 percent when all motorcyclists were required to wear helmets, compared with about 50 percent when there was no helmet law or a law applying only to some riders. In states that either reinstated or enacted universal motorcycle helmet laws, helmet use increased dramatically, and motorcyclist deaths and injuries decreased. In states that repealed or weakened their universal helmet laws, helmet use declined sharply, and motorcyclist deaths and injuries rose.

Human Services

- The General Assembly appropriates funds to supplement federal funds to meet the growing needs of elderly residents of the state. These state and federal funds are administered by Area Agencies on Aging, including the Mid-America Regional Council. Changes in Medicaid and Medicare with federal health care reform will result in the need for information services for many of the state's senior adults. ***State legislators are urged to support or restore funding for Area Agencies on Aging for home delivered meals and to provide enhanced information and care coordination and other direct services at existing or increased levels. In addition, state legislators are urged to support funding for the Area Agencies on Aging in Missouri to provide "benefits" counseling to assist seniors in understanding the changes in Medicare and Medicaid, and to access services for which they may be eligible.***

- The availability and affordability of quality early education programs for all children is critical to Missouri's economic future. Numerous studies show a return on investment of up to 700 percent as a result of targeted funding spent on high-quality early learning programs. However, early learning programs and initiatives in Greater Kansas City often lack the resources to consistently provide high quality experiences to the children

currently attending these programs. As a result, nearly one in three children arrives at school without the skills needed to succeed.

With the significant budget shortfall last year, Parents-As-Teachers received a drastic budget cut of 13 million dollars requiring many of the Parents-As-Teachers programs across the state to be reduced. Because of this 59 percent budget cut, Parents-As-Teachers has had to limit services to parents. Research is clear that early intervention and programs like Parents-As-Teachers are significantly important in assisting parents in helping their young children's early development. ***State legislators are asked to restore state funding to the Parents-As-Teachers.***

In Missouri, 926,000 people or 15.5 percent of the state's population were living below the federal poverty level in 2009, and almost one-fourth of Missouri's children live in poverty. Currently, Missouri provides child care assistance to low-income families up to 127 percent of poverty. This places Missouri 49th among all states. The national average for child care assistance in the United States is 185 percent of poverty. Child care assistance is essential for allowing low-income families to enter and remain in the workforce. ***The General Assembly is urged to maintain funding for Child Care Assistance. If funding is available, state legislators are urged to increase Child Care Assistance to reach more of Missouri's low-income families.***

Public Safety

- ***Support enabling legislation to allow voters to broaden the scope of communication devices where users are levied a fee to support 9-1-1, with revisions to state 9-1-1 statutes to allow for a statewide fee on all communication devices, including landline, wireless and VOIP devices to support emergency telephone 9-1-1 costs.*** The Kansas City regional 9-1-1 system offers high quality services to area residents, businesses and visitors. The Kansas City regional system handles almost 2 million calls annually among 45 public safety answer points. The region's counties recognize the critical importance of this system and have invested in improvements to receive and process all 9-1-1 calls, including those from wireless devices. This high quality system is threatened as the financial resources supporting its maintenance and operation are declining. National industry experts estimate that 12 percent of all households rely exclusively on wireless communications devices and do not have a land-line phone in their homes. Missouri wireless customers do not contribute to the cost of 9-1-1 operations, and Missouri is the only state in the nation that has **not** enacted a surcharge to support wireless 9-1-1.

State legislation was enacted a number of years ago for a statewide surcharge on wireless services, but the law's provisions do not meet current needs. In the Kansas City region, about 60 percent of all 9-1-1 calls come from wireless services. Adequate funding to improve 9-1-1 services statewide and for the ongoing operation and maintenance of the regional 9-1-1 system are critical. Local officials in the Kansas City area see 9-1-1 as a critical component of the public safety and emergency response system.

Efforts are underway to develop a statewide consensus among public safety and municipal associations for a statewide tax on all communication devices, with a set fee for all device customers and a percentage of the revenues used in a state fund to support small and rural communities achieve basic levels of 9-1-1 service.

- ***The General Assembly is urged to renew the fee charged to industry under Missouri Statutes 292.606 to support the Missouri Emergency Response Commission and Local Emergency Planning Committees in efforts to reduce the risks from spills and releases of hazardous materials.*** The current statute provided for industry fees related to the storage or transportation of hazardous materials from August 1992 for twenty (20) years. The fees expired in August 2012 if they are not renewed by the General Assembly. Companies with large quantities of hazardous, extremely hazardous and explosive materials are required to pay fees ranging from \$50 for petroleum retailers per location to a maximum of \$10,000 for companies with a wide variety of hazardous chemicals at one location. The fees are used for planning, training, preparedness and response activities at the state and local levels.
- ***The General Assembly is urged to amend existing statutes as necessary to ensure that all first responders, particularly, local law enforcement officers, have the ability to cross the state line to provide mutual aid, apprehend individuals in emergency situations, and assist with certain investigations.*** Local governments and emergency response agencies in the Kansas City area support one another on a daily basis, and during major disaster events. Law enforcement agencies need the ability under state mutual aid laws to cross state lines to work together on major incidents. In some cases, such as the area's bomb squads, personnel are federalized and can cross the state line to provide mutual aid. In other cases, law enforcement personnel are limited in their ability to respond in major incidents across the state line unless a formal disaster declaration is made. Section 70.837 allows Kansas officers to assist Missouri agencies in response to natural disasters. This statute could be amended to include a terrorist act, a school shooting or other man-made incident. Section 70.875 establishes multi-jurisdictional anti-fraud investigation groups. This statute could be amended to allow for investigative units or response teams composed of officers from multiple jurisdictions, including those in Kansas, to address or respond to a violation of any law.
- Local governments have identified the problem of drivers running red lights as a major traffic safety problem. Technology exists to identify and record drivers running red lights so that traffic citations may be issued. Pilot tests in the Kansas City area and full implementation in local communities around the country have demonstrated the problem of red light running and the capability of existing technology to better enforce existing traffic laws. State law does not specifically enable local law enforcement agencies to use this approach, and authorizing legislation is desired by local governments. ***The MARC Board supports the ability of local governments to issue citations for running a red light when offenders are identified by an automated camera.***

Local Government Revenues/Rights

- State and federal government agencies often identify potential strategies to address problems in communities and enact legislation to respond to these problems. In most cases, the response actions that are required impact city and county governments and their budgets. In addition, as the state tightens its budget to respond to fiscal challenges, the result often impacts local governments. ***The Missouri General Assembly is asked to consider the impacts of new requirements and state budget decisions on local governments and avoid placing additional requirements, particularly those with financial mandates, on local governments without new resources.***
- The state of Missouri provides state incentives for economic development and enables local communities to use a variety of tools to support the retention and growth of existing businesses and the attraction of new businesses. The state's economic development office works closely with regional and local economic development officials to respond to business interest in investing in Missouri. In some cases, a lack of clear state policy on the use of incentives creates uncertainty for local officials in working with business prospects. The state provides support to the development of affordable housing through Low-Income Housing Tax Credits and Historic Tax Credits. These credits have allowed non-profit and for-profit developers to add to the region's affordable housing inventory at a time when the need for such housing is growing. ***The Missouri General Assembly is asked to consider enhancements to the state's economic development policies that support economic recovery, avoid restrictions on existing economic development tools used by local governments and those developing affordable housing, and encourage the state economic development office to assist local officials with clear guidance on the availability and use of state incentives.***

Environmental Protection/Green Infrastructure

- The Mid-America Regional Council Solid Waste Management District has worked to reduce waste going to area landfills for over 20 years, and encourages waste reduction, waste diversion and recycling through public education, and provides programs and grants to improve the infrastructure for waste diversion and recycling. The SMWD Board adopted a strategic plan last year encouraging local governments to pursue a goal of waste diversion of 80 percent by 2013. To achieve this goal, preserve the life of area landfills and reduce the cost of solid waste management, legislative action is necessary.

State legislators are urged to protect local government rights to develop and implement local and regional integrated solid waste management systems and strategies, including waste disposal and materials diversion facilities and services, which are designed to protect human health and the environment and to maximize waste reduction and diversion.

State legislators are urged to protect the statewide solid waste disposal tonnage fee, currently set at \$2.11, which funds state, regional and local solid waste planning and waste reduction efforts. In addition, state legislators are urged to reinstate the annual price adjustment, as defined by the US Dept. of Labor, to set the tonnage fee.

Local governments are evaluating measures to increase the efficiency of solid waste management and recycling, reduce the impact of hauling operations on local infrastructure, and ensure quality and affordable services to residents. Current law requires that cities and counties give considerable notice of the intent to modify local waste ordinances. ***State legislators are asked to reduce or eliminate the two year notice statute governing how a local government informs private haulers of its intention to provide solid waste services.***

The Solid Waste Management District has focused its efforts to meet state goals of waste diversion, and has recognized that ban of yard waste has made a significant contribution to helping the state achieve its waste diversion goals. ***State legislators are urged to continue the yard waste ban, effective since 1992, to divert yard waste materials from landfills. Support the organics recycling industry to achieve greater diversion of these and other organic materials through recycling and composting.***

- ❑ The city of Kansas City, Missouri, and other area communities are challenged in meeting the need to separate sanitary and storm sewer systems, replace aging infrastructure and support infrastructure investments for economic growth. ***The area's state legislators are asked to encourage the Missouri Department of Natural Resources to allocate the revolving loan funds for wastewater system improvements so that all parts of the state, including the urban areas, have access to those resources.***
- ❑ ***The General Assembly is asked to support enabling legislation to allow first class charter counties and contiguous counties in the Kansas City region to seek voter approval of a Regional Parks and Trails District similar to enabling authority granted to St. Louis area counties.*** The Kansas City metropolitan area has been working toward a regional greenway trail system for over a decade, and interest and support for such a system continues to increase among area residents, community leaders and local government officials. The greenway trail system is part of a metropolitan-wide effort to preserve important natural areas along stream and river corridors, and provide alternative transportation corridors and greater recreational opportunities. Local communities are challenged in responding to growing interest among their residents to provide additional park and recreational opportunities, as land prices continue to rise and local city and county budgets are strained to support daily operations. In 1999, the Missouri General Assembly passed legislation (SB405) that allowed the St. Louis region to establish a regional parks and recreation district. Today, St. Louis City, St. Louis County and St. Charles County support a regional district that has resulted in new regional and local parks and trails investments with strong public support.
- ❑ MARC, local governments and area utilities are working to increase energy efficiency and conservation efforts in the Kansas City region. State tax credits and state programs are important elements to an overall system of support for residential, commercial and industrial property owners to achieve energy conservation objectives. ***The General Assembly is asked to support legislation to encourage greater energy conservation and use of alternative fuels by businesses, utilities, government organizations and individuals.***