



# Missouri Society of Professional Engineers

## Weekly Legislative Report May 24, 2018

### SESSION OVERVIEW

The Missouri General Assembly concluded the 2018 session on Friday at 6:00 p.m. as provided by the Missouri Constitution. In all, the legislature passed 153 bills out of 2,265 bills, joint resolutions, committee bills, revision bills and concurrent resolutions filed, almost doubling the number of truly agreed to and finally passed bills from last year. Of these bills, and as required by the constitution, the legislature passed 18 budget bills allocating \$28 billion in funding.

During the final week of session, the Missouri House worked in mechanical fashion to pass a number of bills and send them to the Governor's desk for consideration. Many of the bills passed in the final two days of session were conference committee substitutes and reports that had been agreed upon during joint House/Senate conference committee meetings.

On the Senate side of the building, they were able to work through many tough issues without the need to use the previous question (cloture); which effectively shuts down debate and has in the past caused the minority party to bring the Senate to a virtual standstill. Instead, the Senate worked to pass paycheck protection, 911 funding, a transportation funding package and a reform to the state's prevailing wage statute.

### SPECIAL SESSION ON POTENTIAL IMPEACHMENT

This week, the House Special Investigative Committee continued to meet in an effort to come to a conclusion regarding disciplinary action (including impeachment) against Governor Greitens. Without time to catch their breath, the special session that the legislature called convened just thirty minutes after the close of the regular session on Friday. That special session must conclude by June 17th.

Attorneys for Greitens have proposed a process before the special investigative committee that looks more like a trial with both sides interrogating witnesses, offering evidence and making arguments. So far, the committee has resisted that process and it is believed that articles of impeachment would be subject to a hearing similar to those held on other regular bills.

News accounts report that Governor Greitens has begun to reach out to his staunchest supporters in the House to resist impeachment which requires 82 votes of the 163-member chamber. If the House should vote to impeach, the Senate would appoint seven judges to conduct a trial and five would have to agree to impeach.

### MAJOR BILLS OF STATEWIDE INTEREST THAT PASSED

- **Gas Tax:** On the last day of session, the General Assembly passed legislation that would place before voters an increase in Missouri's motor fuel tax by 2.5 cents annually for the next four years. The proposed tax is expected to raise when fully phased in about \$240 million annually for the road fund, along with \$288 million for law enforcement and \$123 million annually for city and county projects.

- **Education Funding:** The approved FY2019 budget will increase funding by an additional \$100 million for K-12 and maintain state aid for Missouri's higher education institutions at the current level of \$1.2 billion (institutions would be permitted to increase tuition by no more than 1%).
- **Tax Cuts:** The General Assembly passed legislation that would cut individual income tax rates from 5.9% to 5.5% starting next year. It could be reduced further to 5.1% if the state meets certain revenue thresholds. Also passed was legislation reducing the corporate income tax from 6.25% to 4% starting in 2020.
- **Utility Legislation:** Major changes to the way the state's three monopoly electric corporations are regulated was passed. The bill would provide mechanisms to allow the companies to more quickly recoup infrastructure improvements and sets caps on profits.
- **Tort Reform:** Of numerous tort reform measures debated, two were passed by the legislature. One would allow insurance companies to use interpleader procedure to avoid sums greater than the insurance policy. The other, called the Business Premises Safety Act, would protect a business from being held liable for harmful acts committed on their property by third parties beyond their control.
- **Labor Reforms:** A bill that would move the date from November to the August primary for voting on a Right to Work initiative petition was passed. Also passed was a measure known as "Paycheck Protection" for public unions that would require certain reporting provisions and establish provisions for recertification of public sector unions every three years. That measure also establishes a process for the unions to have to receive annual consent from workers to withhold union dues.
- **Prevailing Wage:** Legislation that alters the way that wages are calculated on government construction projects received final approval.
- **Legal Age for Marriage:** Legislation was passed that sets the minimum age for marriage at age 16. It prohibits individuals older than 21 from marrying another person under the age of 18.
- **Industrial Hemp:** Legislation was passed that makes it legal to grow, harvest and process industrial hemp.
- **State Merit System:** The General Assembly passed legislation that makes sweeping changes to the state's merit system. This bill also contained some whistleblower protections for public employees.
- **Historical Preservation Tax Credits:** Legislation that would cap tax credits for the historic preservation tax credit program was passed. The bill would reduce the annual cap from \$140 million to \$90 million with the potential for an additional \$30 million for certain areas that meet federal poverty thresholds.
- **Revenge Porn:** A bill that would make it a felony to threaten or disseminate or distribute a sexually explicit image without consent makes Missouri the 39th state to pass a revenge porn bill.
- **Raise the Age:** Currently, Missouri treats all 17 year olds as adults in the criminal justice system no matter of the offense. This legislation makes Missouri the 46th state to raise the age of adulthood to 18 years of age. A minor could still be certified as an adult for certain offenses.
- **911:** A measure that would give Missouri counties additional ways to increase 911 funding was passed in the final days of session.

## MAJOR BILLS OF STATEWIDE INTEREST THAT FAILED TO PASS

- **Medical Marijuana:** The legislature failed to pass legislation that would legalize smokeless medical marijuana for treatment of terminally ill patients.
- **Sunshine Law Revisions:** Legislation designed to provide more authority to the Attorney General in enforcement of the open records / open meetings law failed to pass.
- A push to add sexual discrimination and gender identity to the state discrimination law failed to pass.
- **Ethics Reform:** The legislature failed to pass meaningful ethics revisions relating to a lobbyist gift ban.
- **TANF:** A House Bill left on the Senate Calendar would have barred cash withdrawals at ATMs for individuals relying on Temporary Assistance for Needy Families (TANF) and the Supplemental Nutrition Assistance Program (SNAP). It also set penalties for TANF recipients who purchase prohibited items such as alcohol and cigarettes.
- **Redistricting:** A proposed constitutional amendment that required only U.S. citizens to be counted for redistricting purposes passed the House but failed to pass the Senate.
- **Tort Reform:** Tort reform bills including those pertaining to venue, statute of repose, and merchandising practices failed to pass.

## LEGISLATION OF INTEREST TO YOU THAT PASSED

**SS SCS HCS HB 1364** -- **PETROLEUM PRODUCTS:** Currently, certain provisions relating to fees collected for the transportation and delivery of petroleum products are due to expire on August 28, 2018. This bill restarts the fee collection on August 28, 2018 and extends the expiration date to August 28, 2025.

**PETROLEUM STORAGE TANK INSURANCE FUND** – Currently, the petroleum storage tank insurance fund is due to expire on December 31, 2020. The bill extends the expiration date to December 31, 2025. The bill also establishes the "Task Force on the Petroleum Storage Tank Insurance Fund." The task force shall be composed of eight members, with three being from the House of Representatives and appointed by the Speaker of the House and the Minority Floor Leader, three from the Senate, and two industry stakeholders. The task force shall conduct research and compile a report, by December 31, 2018, on certain topics relating to the petroleum storage tank insurance fund (Sections 319.129 and 319.140, RSMo).

Allows the Director of the Department of Agriculture to waive certain testing standards for fuel in emergency situations so long as the waiver applies equally and uniformly to suppliers and distributors (Section 414.032).

**SS#2 SCS HB 1413** -- **LABOR ORGANIZATIONS:** This bill makes various changes to the laws regarding public employees, their labor organizations, and labor agreements between those labor organizations and public bodies. However, public safety labor organizations, and employees of the Department of Corrections are exempted from the bill's provisions (Section 105.503, RSMo).

The bill provides that no sum shall be withheld from a public employee's earnings to pay dues or other fees to a public labor organization without annual authorization. Labor organizations are required to maintain financial records substantially similar to federal law. They must make the records available to employees in a searchable electronic format (Section 105.505).

The bill requires labor organizations to adopt a constitution and bylaws and file a copy with the Department of Labor and Industrial Relations, along with a report containing specified information about the organization. Labor organizations are also required to annually file a report detailing the organization's financial condition and operations. The financial report shall be in an electronic, readily accessible format available to its members (Section 105.533).

This bill requires every officer and employee of a labor organization to annually file a report listing any legal or equitable interest, income, or transaction the person, his or her spouse, or minor child received or derived from a labor organization or public body with employees that the labor organization represents or is seeking to represent (Section 105.535).

The reports and documents filed with the department under the provisions of this bill are public records. The department, as specified in the bill, must allow for the inspection and examination of the reports and documents, and furnish copies upon payment of the service (Section 105.540).

Each person required to file a report shall maintain, for at least five years, sufficient records to verify the information contained in the report. Each labor organization shall file a report within 90 days of becoming subject to the provisions of this bill, and people required to file reports shall file such reports within 90 days after the end of each fiscal year (Sections 105.545 and 105.550).

Any person who knowingly violates certain provisions of the bill related to the required reports or files a false report is subject to a fine or imprisonment of not more than a year (Section 105.555).

The bill provides that supervisory public employees, as defined in these provisions, shall not be included in the same bargaining unit as the public employees they supervise and that the same labor organization shall not represent both non-supervisory and supervisory public employees (Section 105.570).

Recognition may only be obtained by a labor organization through an election before the State Board of Mediation. Voluntary recognition by a public body is prohibited. An election by secret ballot will be held after

the board is presented with cards containing signatures of at least 30% of the employees in the bargaining unit.

The bill specifies the ballot language to be used for the selection of a labor organization as the exclusive representative for the bargaining unit. More than 50% of all public employees within the bargaining unit must vote positively to certify the labor organization as the exclusive representative. However, public employees of the bargaining unit may seek to decertify the labor organization at any time with a subsequent election provided that the board is presented with signed cards representing at least 30% of the employees in the bargaining unit. If more than 50% of the bargaining unit votes to decertify the labor organization then it shall no longer be recognized as the exclusive representative.

Labor organizations must be recertified every three years. No more than one election shall take place in any bargaining unit within a 12-month period. The board shall collect a fee from each labor organization participating in an election (Section 105.575).

Within eight weeks of a certification election, the labor organization shall meet and begin bargaining with representatives of the public body. No labor organization shall refuse to meet with the representatives of the public body.

Bargaining for renewal agreements shall take place triennially, provided that those labor agreements must be subject to certain limitations. Such limitations include management reserving the right to hire, discipline and discharge employees, reserving the right to make and amend reasonable work rules, prohibiting all strikes and picketing, extending the duty of fair representation to all employees of the bargaining unit, prohibiting labor organization employees from accepting paid time by a public body for conducting labor organization business with certain exceptions, and providing for the modification of the agreement in the event of a budget shortfall (Sections 105.580 and 105.585).

A labor organization or associated representative, or public body or associated representative, that violates the provisions of this bill is subject to a civil action for appropriate relief, including injunctive relief. Attorneys' fees shall be awarded for the enforcement of the provisions of this bill (Section 105.595). The provisions of the bill explicitly apply to personal care attendants and their unions (Section 208.862).

**SS#2 HB 1460 – NEW GAS TAX REVENUES:** Beginning July 1, 2019, this bill increases the fuel tax by \$.10 from \$.17 per gallon to \$.27 per gallon in increments. On and after July 1, 2022, the tax rate of \$.27 applies. The additional revenue generated by the tax increase is used for the actual costs of the State Highway Patrol, subject to appropriation. In addition, the bill authorizes the Department of Agriculture to tax all types of fuel at a substantially equivalent rate by implementing a rule by January 1, 2026. The state auditor will biennially audit funds to ensure their accurate expenditure (Section 142.803, RSMo).

This bill authorizes the "Olympic Dream Freedom Act" which allows a state individual income tax deduction for the value of any prize or award won by a taxpayer in athletic competition in the Olympic, Paralympic, or Special Olympic Games (Section 142.803.10).

The bill creates the "Emergency State Freight Bottleneck Fund" which is dedicated, subject to appropriation, only to road projects with criteria for such projects specified in the bill (Section 226.145).

The bill contains a referendum clause and the provisions of this bill will become effective upon voter approval.

**SS#2 SCS HCS HB 1500 -- REDUCTION IN REGULATION OF CERTAIN OCCUPATIONS:** This bill modifies provisions relating to certain occupations and professions.

**PREVIOUSLY UNREGULATED PROFESSIONS –** This bill establishes guidelines for the future regulation of occupations and professions in the State of Missouri. The bill specifies that the state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a reasonable interest for the state to protect the general welfare. If such interest exists, the regulation adopted by the state shall be the least restrictive type of occupational regulation consistent with the public interest to be protected. The bill states that all bills introduced in the General Assembly to regulate an occupation or profession shall be reviewed according to criteria set forth in the bill.

Additionally, the bill requires that the Department of Insurance, Financial Institutions and Professional Registration, or any relevant regulatory agency, report and submit certain information to the General Assembly upon the filing of any bill that proposes a new or additional regulation of an occupation or profession.

### **CCS SS SCS HB 1719 -- PROFESSIONAL REGISTRATION:**

**PROFESSIONAL EMPLOYER ORGANIZATIONS** – This bill establishes regulations and registration requirements for professional employer organizations (PEOs). The bill requires all PEOs to be registered with the Secretary of State. Registration of PEOs may be done individually or as a group. At the time of registration, and every year thereafter, the PEO or PEO group must file with the Secretary of State an audit performed by an independent certified public accountant. A PEO may be eligible for limited registration if it meets certain requirements.

**DIVISION OF PROFESSIONAL REGISTRATION** – The Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration provides clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. This bill requires that the applicant submit all required documentation and that the documentation is legible (Section 324.001).

**PROFESSIONAL LICENSES** – This bill prohibits any state board, department, or agency that issues professional licenses from denying a license based on age, to any person 18 years old or older. Except for licenses associated with gaming and licenses for an individual who operates a school bus owned by or under contract with a public school or the State Board of Education, who transport hazardous material, or who use explosives (Sections 324.013, 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 341.170, 344.030, 374.715, and 374.784).

**PREVIOUSLY UNREGULATED PROFESSIONS** – This bill establishes guidelines for the future regulation of occupations and professions in the state. The bill specifies that the state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a reasonable interest for the state to protect the general welfare. If such interest exists, the regulation adopted by the state shall be the least restrictive type of occupational regulation consistent with the public interest to be protected. The bill states that all bills introduced in the General Assembly to regulate an occupation or profession shall be reviewed according to criteria set forth in the bill.

Additionally, the bill requires that the Department of Insurance, Financial Institutions and Professional Registration report and submit certain information to the General Assembly within two weeks of any bill being filed that proposes a new or additional regulation of an occupation or profession (Section 324.047).

**ELECTRICAL CONTRACTORS** – Electrical contractors who have an occupational or business license for work as an electrical contractor or master electrician issued by any political subdivision in this state shall be eligible for a statewide license if the applicant meets certain requirements as set forth in the bill.

Any person operating as an electrical contractor in a political subdivision that requires a local license shall not be required to possess a statewide license to continue to operate in such political subdivision. No political subdivision shall require the holder of a statewide license to obtain a local business or occupational license that requires the passing of any examination or any special requirements to assess proficiency or mastery of the electrical trades. The holder of a statewide license shall be deemed eligible to perform such work from any political subdivision within the State of Missouri (Sections 324.920 and 324.925).

**LAND SURVEYORS** – Currently, an applicant is required for land surveyor-in-training to provide at least three letters of reference, one of which must be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience. Additionally, an applicant for licensure as a professional land surveyor must provide at least three letters of reference, all of which must be from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience.

This bill repeals any requirement for letters of reference in order to apply for enrollment as a land surveyor-in-training or to apply for licensure as a professional land surveyor (Sections 327.313 and 327.321).

**SS SCS HCS HB 1991 -- WIRELESS FACILITIES INFRASTRUCTURE:** An authority's zoning authority shall not extend to the engineering, construction, or design of any small wireless facility located in a structure on any campus, stadium, or athletic facility not owned or controlled by the authority, and nothing in the act authorizes Missouri or authorities to regulate wireless services (Section 67.5118).

**SS#5 SB 564 -- PUBLIC UTILITIES:**

**RATE SCHEDULES FOR INTERIM ENERGY CHARGES OR PERIODIC RATE ADJUSTMENT –** This bill authorizes electrical corporations to apply to the Public Service Commission for an interim rate change mechanism outside of a general rate case to adjust for impacts to utility revenues. However, the authorization shall only be granted from January 1, 2019, to January 1, 2029. Any electrical corporation that applies for an interim rate change mechanism shall quarterly file a surveillance report with required components detailed in the bill (Section 386.266, RSMo).

**COMPLAINT PROCEDURE –** This bill maintains that a complaint brought to the commission against a public utility must be for a violation of law under the commission's jurisdiction, any rule promulgated by the commission, or of any utility tariff or order (Section 386.390).

**RATE MAKING CONSIDERATIONS OF FEDERAL TAX REFORM –** This bill provides that the commission shall have the one-time authority to adjust the rates of electrical corporations that do not have general rate proceedings pending as of February 1, 2018, or August 28, 2018, to reflect the effects of the federal 2017 Tax Cut and Jobs Act. As an alternative to the rate change, an electrical corporation may make deferrals to a regulatory asset, provided that good cause is shown. This portion of the bill is subject to an emergency clause (Section 393.137).

**CERTIFICATE OF CONVENIENCE AND NECESSITY –** Currently, any electrical plant or other electrical generating facility must receive a certificate of convenience and necessity from the commission before construction can begin. This bill provides that such a certificate need not be obtained for electrical generating facilities with a capacity of one megawatt or less (Section 393.170).

**QUALIFYING ELECTRIC PLANTS IN-SERVICE ACCOUNTING AND CAPITAL INVESTMENT –** This bill creates a voluntary program for electrical corporations for the creation of regulatory assets using plant-in-service accounting. This program specifies that electrical corporations shall defer 85% of all depreciation expenses and returns associated with qualifying electric plants recorded to plant-in-service to a regulatory asset. The regulatory asset shall then be included in those electrical corporations' rate base without any other offsets or adjustments except as provided in the bill. Beginning February 28, 2019, an electrical corporation availing itself of the benefits of the regulatory asset creation shall annually submit a five-year capital investment plan to the commission with specific criteria as specified in the bill. Within 30 days of submitting an investment plan, the electrical corporation shall hold a public stakeholder meeting to answer questions and receive feedback. After receiving feedback, the electrical corporation may modify its filed investment plan. This section of the bill expires on December 31, 2028, except that all regulatory assets created under this section and amortization thereof shall nonetheless continue to be included in an electrical corporation's rate base (Section 393.1400).

**PILOT PROJECTS –** The bill also states that the commission may approve pilot projects if the project is designed to advance the proposing electrical corporation's knowledge of deploying such technology (Section 393.1610).

**DISCOUNTED ELECTRIC RATES –** This bill creates an electric rate discount for high energy users who apply for a discounted rate before the public announcement of a growth project. An eligible customer shall receive local, regional, or state economic development incentives, and add incremental load with an average monthly demand of at least 300kW with a load factor of at least 55% within two years after the application for a discounted rate is submitted. Such a discount shall be a percentage applied to all base rate components of the bill and shall be applied for up to five years. The average annual discount shall be 40% on all base rate components, and an additional 10% discount for one year after the expiration of the initial discount if the customer takes service from an under-utilized circuit. Any reduced revenues arising from the discounted rate shall be borne by all of the electrical corporation's customer classes. This provision expires on December 31,

2028, except as stated otherwise in the bill (Section 393.1640).

**CONTRACTOR QUALIFICATION AND BIDDING** – This bill requires electrical corporations with more than one million Missouri customers to develop a qualification process for the competitive bidding of contractors seeking construction contracts for distribution system projects. The electrical corporation may specify the eligibility requirements for contractors, but the electrical corporation shall not weigh any contractor favorably or unfavorably due to a union affiliation, except when work is being performed under a project labor agreement. Within 30 days of the effective date of this bill, the electrical corporation shall file a verified statement with the commission stating that it has in place a qualification process. Any general rate proceeding filing thereafter shall be accompanied with a verified statement that the electrical corporation is using a competitive bidding process for installing no less than 10% of combined external installation expenditures in Missouri for construction services on distribution system projects. Nothing in this bill shall require an electrical corporation to use a qualified contractor or competitive bidding process in the case of an emergency, or to terminate any existing contract prior to its expiration. The commission shall report to the General Assembly by December 31, 2020, and annually thereafter, on the effects of contractor qualification and bidding (Section 393.1650).

**RATE INCREASE LIMITATIONS** – This bill limits rate increases for electrical corporations that elect to be subject to the provisions of Section 393.1400, and that have more than 200,000 Missouri customers. An electrical corporation's base rates shall remain static for three years, except that rates may change due to a reduction in revenues resulting from weather, an act of God, war, terrorism, or other uncontrollable event. If the average overall rate for an electrical corporation with a general rate proceeding pending before the commission as of February 1, 2018, or August 28, 2018, increases by more than 3%, then the electrical corporation shall not collect any amount exceeding that 3% as a penalty. If the average overall rate for an electrical corporation that does not have a general rate proceeding pending before the Public Service Commission as of February 1, 2018, or August 28, 2018, increases by more than 2.85% percent, then the electrical corporation shall not collect any amount exceeding that 2.85% percent as a penalty. Revenues not recovered due to the penalty and subsequent lowering of rates shall be deferred to the regulatory asset created under Section 393.1400, or recovered through an amortization in base rates. Additionally, if base rates for the any participating electrical corporation's large power service rate class increase by more than 2%, such base rate shall be limited to a 2% increase with any reduced revenues arising from such a limitation being allocated amongst all other customers (Section 393.1655).

**SOLAR ENERGY INVESTMENT** – This bill requires electrical corporations with one million or more Missouri customers to invest no less than \$14 million in utility- owned solar facilities in either Missouri or adjacent states by December 31, 2023. Electrical corporations with less than one million but not more than 200,000 Missouri customers shall invest at least \$4 million in solar facilities in either Missouri or adjacent states by December 31, 2023. Electrical corporations with less than 200,000 Missouri customers shall invest no less than \$3,500,000 in solar facilities in either Missouri or adjacent states by December 31, 2023. If the required solar investments result in an increase of average retail rates of more than 1%, then the costs shall be deferred and later recovered through a rate mechanism (Section 393.1665).

**SOLAR ENERGY REBATES** – The bill requires electrical corporations to issue solar energy rebates equal to \$0.50 per watt for solar energy systems that become operational between January 1, 2019, and June 30, 2019. From June 30, 2019, and December 31, 2023, the solar rebate shall be \$0.25 per watt. However, the solar rebates shall only apply up to 25 kilowatts per system for residential energy users and 150 kilowatts per system for nonresidential energy users. The amount of solar rebates a particular electrical corporation will be required to honor is further limited in the bill. Electrical corporations shall be allowed to recover the costs of all solar rebates under Missouri's renewable portfolio standard, and shall be allowed to defer and amortize the recovery of such costs through either base rates or a surcharge. However, any recovery resulting in an increase of more than 1% of the average retail rate shall be deferred to a regulatory asset, and recovered through base rates or another rate adjustment mechanism. The solar rebate provision of the bill expires December 31, 2023, except for the extent provided (Section 393.1670).

**NONSEVERABILITY** – This bill states that all of its provisions are nonseverable, and that all of its provisions shall be deemed invalid if any individual provision is so held (Section 1).

**[HCS SCS SB 598](#) -- TRANSPORTATION UTILITY CORRIDOR:** This bill directs the Department of Transportation to establish a utility corridor up to 12 feet in width within the existing right- of-way when space is

reasonably available.

**SCS SB 629 -- TAX INCREMENT FINANCING:** Currently, the annual amount of new state revenues that may be appropriated to the Missouri Supplemental Tax Increment Financing Fund for redevelopment projects under the Real Property Tax Increment Allocation Redevelopment Act is capped at \$32 million. This bill excludes from this cap any plan or project involving a health information technology employer employing over 7,000 employees in the state which is estimated to create in excess of 15,000 new jobs with an average annual wage of more than \$75,000, and that is listed by name in an appropriations bill.

This bill also reduces the Supplemental Tax Increment Financing Fund appropriation cap from \$32 million to \$10 million for redevelopment plans or projects approved on or after August 28, 2018, and before August 28, 2028. For projects approved prior to August 28, 2018, which are expanded with buildings of new construction, the originally approved amount shall not be increased by more than \$3 million annually. For redevelopment plans or projects approved on or after August 28, 2028, the cap shall increase to \$20 million.

This bill also provides that, for redevelopment plans or projects approved prior to August 28, 2018, which are expanded with buildings of new construction, and for all redevelopment plans or projects approved after August 28, 2018, no single redevelopment plan or project shall receive an appropriation that exceeds \$3 million annually.

**HCS SB 659 -- DEPARTMENT OF NATURAL RESOURCES:** This bill modifies the provisions relating to the Department of Natural Resources.

**COAL COMBUSTION RESIDUAL** – The bill repeals the current exemption from solid waste permitting requirements for coal combustion generation facilities in Kansas City and authorizes the department to promulgate rules and approve site-specific target levels for the management, closure, and post-closure of coal combustion residual (CCR) units. The rules may allow for the use of risk-based decision making and establish target levels for soil and groundwater impacted by CCR constituents. Until the department has an approved and effective state program, the department is authorized to issue guidance or enter into enforceable agreements with site owners or operators to establish risk-based target levels using the Missouri Risk-Based Corrective Action (MRBCA). The department must promulgate the rules by December 31, 2018, for CCR surface impoundments, but is not authorized to promulgate rules requiring a construction or operating permit for CCR impoundment closure or corrective action, or post-closure ground water monitoring for certain CCR surface impoundments. The rules, including location restrictions and design standards cannot be more restrictive than federal regulations, with a few exceptions explained in the bill.

**PETROLEUM STORAGE TANK INSURANCE FUND** – Currently, the fund expires on December 31, 2020. The bill extends the expiration date to December 31, 2025 and establishes the "Task Force on the Petroleum Storage Tank Insurance Fund." The task force shall be composed of eight members, with three being from the House of Representatives and appointed by the Speaker, three from the Senate, and two industry stakeholders. The task force shall conduct research and compile a report, by December 31, 2018, on certain topics relating to the Petroleum Storage Tank Insurance Fund (Sections 319.129 and 319.140).

**SB 840 -- PROFESSIONAL REGISTRATION:**

**LICENSURE RECIPROCITY** – This bill requires certain oversight bodies, as defined in the bill, that issue professional licenses to grant a Missouri license to an applicant that holds a current, valid license issued by another state and waive any examination, educational, or experience requirements for licensure, if that state's licensure requirements are substantially similar to those of Missouri. The oversight body shall not waive any examination, educational, or experience requirements for any applicant that is currently under disciplinary action in the other state, or if the oversight body determines that such applicant would endanger the public health, safety, or welfare of Missouri citizens. The provisions of the bill shall not apply to business, professional, or occupational licenses issued or required by political subdivisions. This bill shall not conflict with any interjurisdictional or interstate compact adopted by Missouri statute, as specified in the bill and shall not conflict with any reciprocity agreements with other states in effect on August 28, 2018.

Provisions of law relating to policies and procedures for issuing licenses and certificates for applicants who

hold a valid license issued by another state or for establishing reciprocity agreements with other jurisdictions are repealed for certain occupations and professionals listed in the bill (Sections 256.462, 256.468,

324.009, 324.071, 324.215, 324.421, 324.487, 324.920, 324.1110,  
328.085, 329.085, 329.130, 330.030, 331.030, 333.041, 333.042,  
333.051, 337.510, 337.520, 337.615, 337.627, 337.644, 337.665,  
337.727, 339.521, 339.523, 344.030, 345.050, 346.055, 374.735,  
374.785, 643.228, 700.662, 701.312, and 701.314, RSMo).

**CCS HCS SS SCS SB 843** -- **BOARDS AND COMMISSIONS:** Creates a waiver of occupational licensing fees by both state and political subdivision licensing authorities for specified military and low-income families. The waiver is for a two-year period with requirements as specified in the bill (Section 324.015); and, modifies application requirements for land surveyors (Sections 327.313 and 327.321).

**CCS HCS SS SB 881** – **TRANSPORTATION:** This bill changes transportation laws. In its main provisions, the bill:

Greatly reduces the requirements for an annual report to the Joint Committee on Transportation Oversight and specifies that the department may provide existing publications to the committee (Section 21.795, RSMo);

Defines the term “related facility” in order to facilitate the implementation of port authority economic development involving AIM zones (Section 68.075);

Adds Franklin County to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan Development District (Section 70.370);

Expands the term "contiguous and compact" as used in the annexation laws by providing that it includes a situation whereby the unincorporated area proposed to be annexed would be contiguous and compact to the existing corporate limits of the city, town, or village but for an intervening roadway or railroad right-of-way, regardless of whether any other city, town, or village has annexed the roadway or otherwise has an easement in the roadway. For an annexation to which an objection has been made, the municipality must demonstrate that the "shared" border is at least 15% of the total perimeter of the land to be annexed. How the "shared" border is determined given the intervening roadway or railroad right-of-way is specified (Sections 71.012 and 71.015);

Allows the department to set the utility corridor at 12 feet in width when space is reasonably available. Existing law applies to any type of modifications within utility corridors, and the department is required to set standardized rules for issuing variances to utility corridor requirements (Section 227.240);

**HCS SS SCS SBs 894 & 921** -- **STEM EDUCATION:** This bill requires the Department of Elementary and Secondary Education (DESE) to establish a "STEM Career Awareness Program" for middle school students (Section 161.261, RSMo).

The bill also requires DESE to develop a high school graduation policy that will allow a student to substitute a computer science course for any math, science, or practical arts unit required for high school graduation. DESE will convene a work group including representatives from elementary and secondary education, institutions of higher education, business, and industry. This work group will develop rigorous academic performance standards for the computer science courses. DESE shall develop a procedure for teachers to receive an endorsement on their teaching license if they demonstrate sufficient knowledge of computer science (Section 170.018).

The bill establishes the "STEM Career Awareness Program Fund" and requires DESE to handle career and technical student organization funds (Section 161.106).

The bill authorizes schools to rely on technical coursework and skills assessments developed for industry-recognized certificates and credentials when developing career and technical education pathways for their students (Section 162.1115).

The bill also requires the Career and Technical Education Advisory Council to annually review, update, approve, and recommend a list of industry certifications, state-issued professional licenses, and occupational competency assessments. A school district may use the list as a resource in establishing programs of study that meet their regional workforce needs (Section 170.028).

The bill also modifies the composition of the Career and Technical Education Advisory Council by adding the Director of the Department of Economic Development or his or her designee (Section 178.550).

The bill establishes the "Career Readiness Course Task Force" to study the possibility of offering a middle school career readiness course (Section 167.910).

The bill provides that Missouri taxpayers who hire a STEM student attending a Missouri college for an internship in Missouri, or a STEM graduate from a Missouri college for a full-time STEM position in Missouri, may apply to have \$10,000 of state tax liability placed in the Missouri Science, Technology, Engineering and Mathematics (STEM) Fund, subject to appropriation by the General Assembly and approval by the Department of Higher Education. The cumulative amount of taxes transferred to the fund is capped at an annual total of \$200,000 (Section 173.670).

## LEGISLATION OF INTEREST THAT DID NOT PASS

[HB 1241](#) – Lavender, Deb(D) – Changes the laws regarding the management of certain state revenues by sweeping certain funds and lowering the senior property tax credit maximum.

[HB 1447](#) – Eggleston, John(R) – Increases the membership of the Highways and Transportation Commission to eight commissioners.

[HB 1587](#) – Helms, Steve(R) – Creates new provisions of law related to professional registration.

[HB 1644](#) – Sommer, Chrissy(R) – Changes the laws regarding state agencies and departments by requiring the posting of information online that is published physically and making available the online submission of applications, forms, and payments.

[HB 1692](#) – Miller, Rocky(R) – Changes the laws regarding port authorities procuring professional services.

[HB 1702](#) – Green, Alan(D) – Establishes the Missouri Prompt Pay Act relating to payment dates for contractors and subcontractors.

[HB 1710](#) – Grier, Derek(R) – Changes the law relating to recognizing licenses to practice occupations or professions issued by other states.

[HB 1928](#) – Ross, Robert(R) – Changes the laws relating to professional registration.

[HB 1998](#) – Bondon, Jack(R) – Creates guidelines for reviewing the comprehensive state energy plan.

[HB 2035](#) – Trent, Curtis(R) – Creates a fund dedicated to transportation projects from the revenue saved through lower tax credit redemptions.

[HB 2088](#) – Frederick, Keith(R) – Prohibits covenants not to compete.

[HB 2135](#) – Messenger, Jeff(R) – Requires the director of the department of transportation to be appointed by the governor, subject to the advice and consent of the senate.

[HB 2153](#) – Korman, Bart(R) – Creates the Emergency Bridge Repair and Replacement Fund.

[HB 2231](#) – Ross, Robert(R) – Removes the requirement that land surveyors submit letters of reference in

order to be licensed.

[HB 2268](#) – Reiboldt, Bill(R) – Modifies certain department of transportation reporting requirements.

[HB 2365](#) – Berry, T.J.(R) – Modifies the definition of "electric plant."

[HB 2386](#) – Reiboldt, Bill(R) – Extends sovereign immunity to contractors and subcontractors of the department of transportation when the contractors are performing governmental services previously performed by the department of transportation.

[HB 2398](#) – Grier, Derek(R) – Enacts the Interstate Compact for the Temporary Licensure of Professionals.

[HB 2447](#) – Korman, Bart(R) – Modifies provisions for construction of new facilities by utility companies.

[HB 2453](#) – Austin, Kevin(R) – Changes the laws regarding surety bonds for public work contracts.

[HB 2479](#) – Pietzman, Randy(R) – Allows a Department of Natural Resources permittee to use the least expensive design option to meet any environmental standard if the plan meets all other permit requirements.

[HB 2484](#) – Korman, Bart(R) – Establishes the I-70 Regional Transportation District.

[SB 619](#) – Eigel, Bill(R) – Allows the Highways and Transportation Commission to issue bonds to finance transportation infrastructure.

[SB 677](#) – Eigel, Bill(R) – Establishes legislative procedures for regulating previously unregulated professions.

[SB 727](#) – Emery, Ed(R) – Requires that the comprehensive state energy plan be reviewed by the Division of Energy by January 1, 2019, and biennially thereafter, and updated if necessary.

[SB 730](#) – Wallingford, Wayne(R) – Establishes the Rate Case Modernization Act.

[SB 734](#) – Schatz, Dave(R) – Increases the motor fuel tax from \$0.17/gallon to \$0.27/gallon.

[SB 782](#) – Cunningham, Mike(R) – Wiemann, John D.(R) – Modifies provisions relating to the Department of Natural Resources.

[SB 816](#) – Schatz, Dave(R) – Modifies the civil penalty for violating certain underground facility safety standards.

[SB 835](#) – Rowden, Caleb(R) – Establishes legislative procedures for regulating previously unregulated professions.

[SB 956](#) – Cunningham, Mike(R) – Modifies provisions of law relating to transportation infrastructure financing.

[SB 978](#) – Romine, Gary(R) – Establishes the Environmental Restoration Corporation Act.

[SB 988](#) – Rowden, Caleb(R) – Requires licensing authorities to waive all occupational fees and fees from licensing requirements for the first year of licensure for low-income families, military families, and young workers.

[SB 1092](#) – Hoskins, Denny(R) – Requires the Department of Natural Resources to promulgate rules establishing setback distances for large wastewater facilities.

[SJR 36](#) – Schatz, Dave(R) – Authorizes a sales tax for law enforcement on state highways.