



2020 Legislative Priorities

Local Vote on Local Issues - Legislation has been discussed to place on the statewide ballot a constitutional amendment to change the government structure of the city-county and municipalities. Residents of other parts of the state do not understand the issues here and have no stake in the outcome, just as St. Louis County residents do not seek to vote on issues in Kansas City, Springfield or other parts of the state.

The League supports local autonomy and opposes legislation authorizing statewide votes on local issues pertaining to individual or limited political subdivisions which would threaten neighborhood stability.

Failure to Appear - Senate Bill 5 passed in 2015 prohibits municipal courts from imposing penalties on defendants who fail to appear in court (RSMO 479.360(6)). Restoration of the authority of municipal courts to induce compliance with bench warrants for the failure to appear is essential to an effective municipal court system.

The League support legislation to provide a mechanism for enforcement of failure to appear.

Collection of Internet Sales Tax - The League urges the Missouri General Assembly to require that all sales and use tax taxes on sales of tangible property be treated fairly and equitably, whether the sale takes place over the counter, by phone, by mail order, by internet or by any other electronic means.

Recently, the U.S. Supreme Court reversed a 1992 ruling (*Quill Corp. v. North Dakota*) that held sellers only had to collect a state's sales taxes if they had a physical presence in the state. The Supreme Court in *South Dakota v. Wayfair* ruled that a state may require online sellers to collect state and local sales taxes when the seller does not have a physical presence in the state.

The League urges the Missouri General Assembly to enact legislation that allows local and state sales/use taxes to be charged on purchases made from out-of-state sellers, even if the seller does not have a physical presence in the state. Such legislation should not include a rollback or cap on existing taxes.

Further, the League supports the simplification of the sales/use tax statutes to make it easier for out-of-state businesses to remit state and municipal sales/uses taxes. Any simplification of the sales/use tax statutes shall hold municipalities harmless from revenue reductions until the Missouri General Assembly requires out-of-state businesses to collect and remit state and local sales/use taxes on purchases sold into the state.

High-Speed Internet Overlay District - Several cities across the country have begun the process to install high speed internet services for residents and businesses in an effort to boost economic development. In Missouri, Kansas City and Columbia have done so with great success. A collaborative multi-county overlay district would streamline the approval process, lower construction costs and greatly reduce the time needed to install the system.

The League supports enabling legislation to establish a High-Speed Internet District for St. Louis County, Jefferson County, St. Charles County and the City of St. Louis. The District governing body would oversee the installation, system management, collection and distribution of fees for an inclusive high-speed fiber network.

Missouri Government Expenditure Database - Legislation was proposed in 2018 (HB 2442) which would require all municipalities to provide to the State Treasurer's office on a monthly basis, a list of all expenditures for posting on the Treasurer's website. This requirement only applies to municipalities and would not be mandated on any other level of local government. A voluntary system applying to all governments is available in Ohio and provides valuable information to the public.

The League supports efforts to establish a local government expenditure database but only if it applies to all governments and participation is voluntary.

Rental Housing Owner Identification and Registration Fee - Absentee property owners may neglect their properties to the detriment of their neighbors. Initially, such neglect may start with minor issues such as tall grass and trash in the yard. However, over time these issues may escalate to the point of which the property is unsafe to dwell in and a haven for squatters or other illegal activity. Such nuisance properties create eyesores for neighbors and may lower property values. Absentee owners may reside out-of-state and, in some cases, may have little interest in maintaining the properties. Municipalities need to have the means to contact the owners of these properties.

In addition, cities may have added staff costs for the implementation of such a program and some charter cities have enacted annual landlord fees to recover some of the costs.

The League supports legislative that would provide municipalities with the authority to require owners of rental property to provide contact information for responding to questions or concerns about the property. This contact information at a minimum must include the name, address, telephone number and emergency contact information for the owner of the property. Properties that are owned by individuals or entities that do not reside at that location should be required to have a local contact for the property.

Additionally, all cities should be granted legislative authority to enact minimal fees for landlords to help defray the costs of a landlord registration program or other issues related to rental properties.

LEGISLATIVE AFFAIRS POLICY STATEMENTS

2020

LOCAL CONTROL AND ROLES OF LEVELS OF GOVERNMENTS

Background - The issue of local control is discussed at all levels of government. Trying to solve a problem in one community by imposing restrictions statewide can have unforeseen negative impacts on other communities when a fair, public/private solution is possible. In addition, businesses often try to sidestep local regulations by seeking legislative pre-emption of municipal oversight. This is questionable public policy and should be avoided because special interests can be in conflict with public interests.

Policy - The League, in its effort to support citizen driven decisions, supports clearly defined roles and responsibilities for local governments so that municipal officials are able to effectively and efficiently serve their communities while being held to certain standards of quality and responsiveness. The League recommends that the General Assembly avoid enacting legislation to address localized issues that will have a detrimental effect on communities statewide. Legislative proposals, especially budgetary issues, should be reviewed for their overall impact on municipalities before being considered.

PRESERVATION OF PUBLIC SAFETY & WELFARE

Background - Public safety and the general welfare of the people are the foundations upon which governments were founded. Municipal leaders support these principles by providing public safety services and preserving order, maintaining public property, ensuring recreational needs are met, managing land uses, creating an environment conducive to commerce, and providing for the funding and administration of local government efforts. Other key initiatives of municipal governments are to preserve property values, safeguard the environment, ensure reliable utilities, and create pathways for progress for individuals, families and businesses.

Most residents view public safety as the preeminent responsibility of local governments. This includes 24/7 emergency services such as police, fire and EMS. In addition, nonemergency services that lead to long term safety must be supported. These include building codes, nuisance abatement, drug use prevention, incentives to maintain properties, flood protection to name a few. The flexibility to utilize new technologies will also improve safety and should increase efficiencies in many instances.

Policy - The League urges the Legislature to support cities in the creation and enhancement of local programs which will allow officials the flexibility to react to their residents needs when it comes to public safety and the general welfare of their communities.

The League encourages the legislature to support public safety activities that are both preventative and responsive to the needs of the communities. The state can offer financial and planning assistance when public safety issues arise, but local governments will be the first to respond in emergency situations and need the resources to react in a timely manner.

LAND USE/PLANNING & ZONING

Background - Land use decisions can play a major role in preserving the investment of property owners and ensuring that commerce prospers. Whether planning a new local building or transportation corridor, or changing the zoning designation, local officials have to balance the interests of many parties. In addition, officials in municipalities have the responsibility to ensure that local planning and zoning laws are implemented fairly and protect the interests of residents, businesses and other important institutions that make up the fabric of society

Policy - The Legislature should support local efforts to maintain viable and sustainable communities and allow cities the necessary latitude to set guidelines for land uses that balances the desires of citizens, preserves property values and protects the rights of property owners.

The general framework for planning and zoning responsibility has been established in Chapter 89 RSMo. Cities are expected to abide by these provisions. In addition, cities should have the necessary latitude to set guidelines for desirable land uses and limitations for those uses deemed to be incompatible or that would have an unnecessarily negative impact on others. Prudent balance is the goal.

QUALITY OF LIFE ISSUES

Background - In Missouri and in particular in St. Louis County, municipal park and recreation programs have received tremendous support from citizens. Park amenities and programs are critical to neighborhood vitality and positive health outcomes. Our recreational and cultural amenities are heavily used, available in all areas, and up to date as a result of overwhelming citizen support. We believe these amenities contribute to the vibrancy of the region and make St. Louis an attractive place to live and raise a family.

Policy - The League encourages all levels of government to continue the collaborative efforts that have resulted in premier parks, trails, cultural institutions and a greater sense of community pride.

FINANCE AND TAXATION

Background - Technology and the economy are changing rapidly. Cell phones are replacing landlines. More goods are purchased on the internet. Services may be purchased more often than goods in our growing service-oriented society. People may work from home and not in commercial centers. These and other changes impact municipal revenues. As society changes, tax policy must also change to be fair, certain, and enjoy citizen support. Principles focusing on an equitable tax burden should apply across the County, region and State. This allows citizens and the officials they elect to produce the underlying support for services demanded by and expected by residents and businesses.

Policy - The League supports financial and tax policies that allow greater flexibility for local governments to adapt to technological and economic changes that impact funding for core services. A new far-reaching tax policy discussion is needed with input from officials at all levels of government to design a system that moves Missouri into the 21st century. Isolated changes, especially exemptions with vague benefits, should be avoided. The League offers its assistance in this effort with the goal of creating a tax policy that is equitable to all while allowing local governments the needed revenue to maintain quality service levels. Objective analysis should govern efforts to offer state tax incentives and exemptions which should avoid financial harm to local governments.

GENERAL ADMINISTRATION (PERSONNEL, PURCHASING, LEGAL)

Background - Public administration must translate voters' visions into viable services. For example, personnel must be hired and managed, contracts arranged, streets and public facilities maintained, financial programs managed and monitored, codes written, laws enforced, land managed, parks developed and maintained, and programs offered. Cities are municipal corporations and are highly regulated by state and federal governments. Third- and fourth-class cities and villages can only do what state law permits, while charter cities have more freedom to do what state law does not restrict. The Sunshine Law provides additional options for public oversight of local governments as well as audits, the media and regular elections.

Policy - The League advocates for legislation that encourages local decision-making within a framework that promotes transparency, fairness, high standards and positive sustainable outcomes in public administration. Training is very valuable to assure that best practices are known, especially in smaller cities without

professional management and sometimes frequent turnover. The League supports partnering with the legislature to foster best practices at all levels of local government.

PUBLIC WORKS / INFRASTRUCTURE

Background - Governments and citizens throughout Missouri deserve a modern, safe and well-maintained multi-modal transportation system along with utility services that are efficient, reliable and reasonably priced and can meet changing demographic needs. Over the years each of these systems has been developed and matured. Some components are showing their age while others are subject to mandates that do not adequately balance costs and benefits. Creating sustainable, cost effective solutions that are equitably funded is a challenge. Many of the transportation projects we have seen in the past decades have tended to produce additional suburban sprawl while reducing population and tax base to much of St. Louis County.

Policy - The League supports solutions to solve ongoing public works issues and help maintain quality infrastructure at reasonable costs, including utility rates. Environmental directives from Washington, DC and Jefferson City are often very expensive to implement. The legislature should evaluate how best to meet these standards in a cost-effective manner without placing a large financial burden on residents and businesses.

Submitted by the Legislative Affairs Committee

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