

HCS HB 1458 -- PUBLIC SAFETY, FIRE PROTECTION, AND EMERGENCY SERVICES

SPONSOR: Gatschenberger (Hinson)

COMMITTEE ACTION: Voted "do pass" by the Committee on Local Government by a vote of 15 to 0.

This substitute adds any emergency medical technician licensed pursuant to Chapter 190, RSMo, to the list of individuals who can report to the Department of Revenue any person diagnosed or assessed as having a disorder or condition that may prevent him or her from safely operating a motor vehicle in order to provide the department director with good cause to believe that the operator is incompetent or unqualified to retain his or her driver's license.

Currently, the Division of Fire Safety, within the Department of Public Safety, and the State Fire Marshal are responsible for establishing and maintaining a voluntary training and certification program for firefighters and other persons in the field of emergency response, rescue, and fire prevention and preparedness. A certification testing and recertification fee for the program is collected and deposited into the General Revenue Fund. The substitute requires the fee to be deposited into the Fire Education Fund established in Section 320.094.

The substitute requires any fire protection district director who has been found guilty of or pled guilty to any felony offense to immediately forfeit his or her office. The substitute also prohibits a person from serving as a director or having the person's name appear on the ballot as a candidate for that office if the person is in arrears for any unpaid or past due county taxes.

Currently, elected members of a board are required to complete certain educational training. The substitute requires members appointed to the board to also complete the educational training. The requirement to complete educational training is in addition to the qualifications for the office prescribed by law.

Currently, two or more fire protection districts may consolidate with each other only if the districts have one or more common boundaries, in whole or in part. The substitute also allows two or more districts to consolidate if they are located within the same county, in whole or in part.

The substitute lowers the number of qualified signatures required in order to recall an officer of a fire protection district board from 25% to 20% of the number of voters who voted in the most

recent gubernatorial election in that district.

An anemometer tower, which is a wind speed testing tower, that is located outside of a municipality's boundaries and is 50 feet or more in height is required to have certain safety markings. The top third of the tower must be painted in equal, alternating bands of aviation orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves. An owner of an anemometer tower in existence as of August 28, 2012, is given one year after the substitute's effective date to comply with these requirements. A violation of these provisions is a class C misdemeanor.

FISCAL NOTE: No impact on General Revenue Fund in FY 2013, FY 2014, and FY 2015. Estimated Net Income on Other State Funds of \$108,033 in FY 2013, \$129,640 in FY 2014, and \$129,640 in FY 2015.

PROPOSERS: Supporters say that many fire protection districts would benefit from education and training that would be more readily available if the Fire Education Fund received more moneys. The residents within fire protection districts would like to make it easier to remove a fire protection district director from office by recall petition and by the forfeiture of his or her office if the director has committed a felony. Allowing fire protection districts that are wholly or partially located within the same county to consolidate will give more fire protection districts the opportunity to do so and will increase efficiency and cost savings.

Testifying for the bill were Representative Hinson; Missouri Association of Career Fire Protection Districts; Allen Braun; Jason Webb; Missouri Fire Service Alliance; and Missouri State Council of Fire Fighters.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that providing a dedicated income to the Fire Education Fund will help many fire protection districts.

Testifying on the bill was State Fire Marshal, Department of Public Safety.