

MML 2018-2019 Policy Changes

At the Missouri Municipal League's Annual Business Meeting, held during the League's Annual Conference in Branson, the membership made the following changes to League policies.

Economic Development and Human Resources

Rural Broadband Access

Members added a new policy specific to Rural Broadband Access. The introductory language reads:

"The MML recognizes the importance of rural broadband access, and considers broadband access as necessary to participate in the 21st-century economy."

Missouri Municipal League Policy language is "The MML supports funding for expansion of broadband access throughout the state, regardless of whether the provider is a public, private or joint public/private partnership."

Workforce Development and Human Resources

Language was changed to "Enhance economic development tools, including the use of sales tax abatement for construction materials used to support affordable housing development to include "workforce" housing."

Finance and Taxation

E-Commerce

The policy was amended by striking language urging the U.S. Congress to remove legal barriers prohibiting municipalities and states from taxing internet sales, and adding new language urging the Missouri General Assembly to allow "...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." This change is in response to the U.S. Supreme Court ruling, *Wayfair v. South Dakota*, that creates an opportunity for states to decide if municipalities may levy their sales/use taxes on internet sellers.

Public Safety Sales Tax

Adopted a new policy calling on the Missouri General Assembly to give all municipalities the authority to levy a Public Safety Sales Tax. Currently, only a small number of municipalities have been authorized to levy a public safety sales tax.

Municipal Administration and Intergovernmental Relations

Enforcement Of Failure To Appear

Adopted a new policy to address the new restriction on municipal court authority to impose penalties on defendants for failure to appear. The introductory language reads:

"SB 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."

MMML Policy language is "The MML supports legislation to provide a mechanism for enforcement of failure to appear."

Prevailing Wage

Deleted policy C.10 on Prevailing Wage. HB 1729 passed in 2018 provides a \$75,000 minimum threshold for the application of prevailing wage and revises the survey methodology for determining prevailing wage. These revisions have been sought by MML policy for many years and have finally been achieved.

E-911 Funding

Deleted 911 funding policy. HB 1456 was passed last year and signed by the governor. While not perfect, the bill does provide much needed funding options for E-911 services. With this legislation in place the E911 funding policy is no longer needed.

Environment, Energy and Sustainable Development Policy

Outdoor Air Quality

Due to various environmental lawsuit settlements that have occurred that may impact municipalities, members added:

“In the event the State of Missouri is in settlement with entities (e.g. Volkswagen) MML encourages the State of Missouri to fund recommendations in categories that could be of direct benefit to MML members (e.g. government trucks, and transit/shuttle buses) as final decisions are made (e.g. Volkswagen for Clean Air violations). Local jurisdictions should be involved in the process of implementing the improvements.”

Water Quality

Members thought it was important to stress balance and flexibility when protecting natural resources and the public use of those resources. Members noted that Integrated Planning for municipalities is an option but should not be required. Members added:

“The MML supports all levels of government, with substantial state and federal help, collaborating as equals to ensure that “water quality is protected in the most affordable and cost-effective manner. Any requirements that go beyond federal requirements should be expressly identified and justified. The State and local water protection efforts should address aquatic life needs as well as public recreation – particularly where it is documented to occur. With regard to Integrated Planning, municipalities should have the opportunity to plan and prioritize their infrastructure for drinking water, stormwater and wastewater needs. Protection of public health is paramount. Environmental compliance must be considered but should be balanced with a municipality’s need for affordability, ability to obtain financing or grant funding, economic growth and other local priorities. Integrated management planning should remain a community led effort that is supported by DNR and EPA.”

Regionalism

Members added language to encourage regionalism in the face of high costs of operating and maintaining water and sewer systems:

“Missouri is challenged with an extraordinary high number of very small water and sewer systems/utilities as compared to other states. Most of these systems are minimally managed costly and cannot afford necessary upgrades to meet new regulatory requirements associated with ammonia removal, disinfection, metals and a host of other pollutants are expensive.” The MML encourages municipalities and regulatory agencies to participate in meaningful discussions with each other, along with other stakeholders, when considering regionalization as a potential solution. “With regard to cooperative regionalization, MML supports voluntary consolidation of wastewater collection and treatment systems that provide a higher level of effluent water quality, economies of scale and sustainable operations.”

Community Resilience

Members added a section on community resilience to encourage local and state governments to plan and prepare for disasters. The language is as follows:

“Community resilience is a measure of the sustained ability of a community to utilize available resources to respond to, withstand and recover from adverse situations. Activities, such as disaster preparedness, (which includes prevention, protection, mitigation, response and recovery) are key steps to resilience.

The MML encourages the State of Missouri and its political subdivisions to develop and implement plans and actions designed to prevent, prepare for and mitigate the causes of adverse situations and catastrophic events. Moreover, the MML encourages the State and municipalities to enact adaptation strategies to strengthen community resilience through innovative planning and the use of technologies to minimize the impact of societal choices and the built environment. The environmental, social and economic welfare of the State of Missouri and communities depend on our taking such actions.”

View the full 2018-2019 MML Policy on the League's website, or contact MML!

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