

“There she stands, proud in all her glory.”

# *Missouri* **County Record**

Summer 2018



## **Madison County Courthouse, Fredericktown, Mo.**

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## On the cover

# Madison County

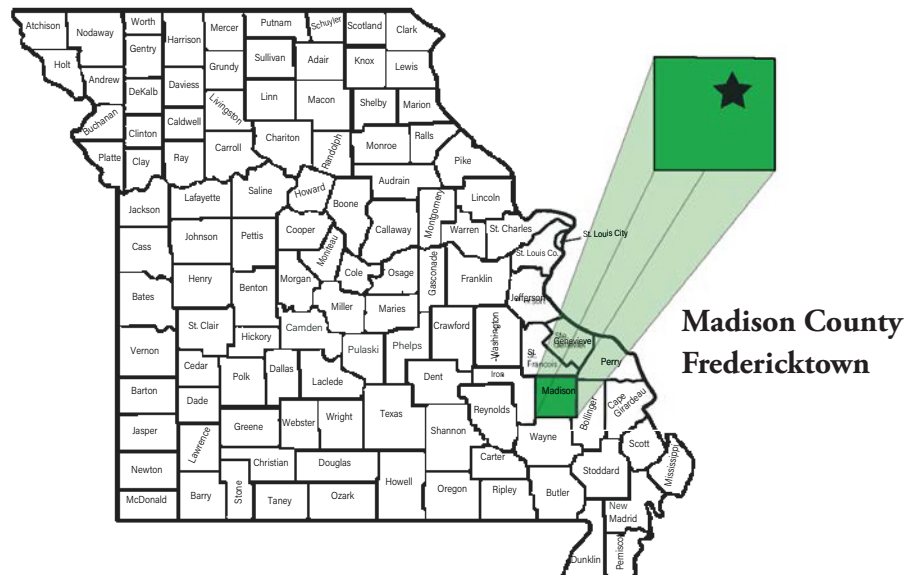
## Dennis Weiser

### Missouri Courthouses: Building Memories on the Square

In 1822, Madison County officials constructed the county's first courthouse, a 50-foot-square, two-story building that included a hip roof and cupola. That sturdy building, constructed with handmade bricks, continued to serve the county until 1899, when the county paid Mr. J. F.

Boggs \$25 to demolish it in order to make way for its replacement.

In 1899, voters approved construction of the present courthouse. The red-brick structure's central tower is located over the south entrance of the building, and it continues to serve as the seat of justice for Madison County.



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Attorney General Josh Hawley speaks to MAC board members about the opioid lawsuit his office filed during the May board meeting at the Capitol Plaza Hotel in Jefferson City.

## Attorney General speaks to board members about opioid lawsuit

As the country grapples with the effects of the opioid epidemic, Missouri is one of several states that is suing pharmaceutical companies for their alleged role in creating this public health crisis. It's what Missouri Attorney General Josh Hawley told MAC board members during the May board meeting.

"My office has taken aggressive action to combat the opioid epidemic and hold accountable those parties who have contributed to this epidemic across our country and here in the state of Missouri," Hawley said. "I'm talking about the pharmaceutical companies that have benefitted to the tune of billions of dollars in profits from opioid sales and opioid distribution."

In June 2017, the Attorney General's Office filed, what Hawley believes may be the largest lawsuit in Missouri, against three of the largest producers of name brand opioids – Purdue Pharma, Endo Health Solutions and Janssen Pharmaceuticals. The lawsuit alleges that these companies carried out a complex, multi-year campaign in which they deliberately misrepresented the addictive risks of opioids, which resulted in thousands of patients being given unnecessary opioid prescriptions to treat chronic pain. This lawsuit seeks to hold the drug manufacturing companies accountable for their actions and begin the healing process

for the families and communities that have suffered from this epidemic.

According to data from the Missouri Department of Health and Senior Services, the number of opioid-related overdose deaths rose significantly in Missouri from 2014 to 2016, and overdose deaths caused by non-heroin opioids reached its highest peak in 2016.

"Unfortunately, we don't have too look far for someone who's been affected by this terrible crisis," Hawley said. "There is hardly a family in our state that does not have some contact with the opioid crisis."

Another problem that has arisen from the opioid epidemic is the growth in the use of illegal substances like heroin. In Missouri, overdose deaths from heroin have steadily been on the rise since 2010.

Hawley said the companies in his lawsuit paid for studies that claimed opioids were not addictive when prescribed in large quantities over a period of time and presented the findings to physician groups. The studies were even put into publications that targeted specific segments of the population.

"We're all for the free market here in the state of Missouri,

continued on page 4

continued from page 3

but we are not for fraud. We're all for people being able to have choices, but not for being deceived. These opioid manufacturers have deliberately misrepresented and lied to consumers and doctors in this state about the nature of these drugs. They need to be held accountable and need to make right the wrongdoing, need to admit what they've done is wrong, and they need to help us begin to rebuild our communities and families that we see all across our state."

In addition to the lawsuit against opioid manufacturers, Hawley informed board members that his office is investigating seven of the largest distributors of opioids in the country of possibly violating laws and flooding markets with opioid drugs that then may have made it to the black market.

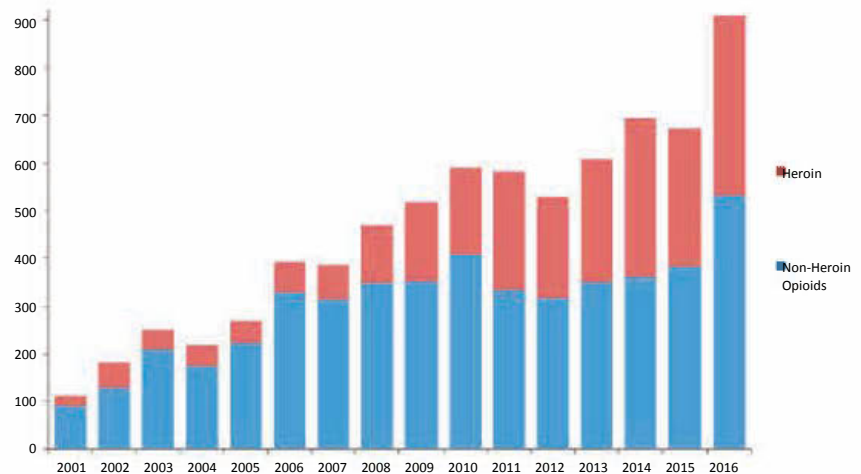
"We want to make sure these distributors have not deliberately violated the law and flooded our counties and towns with opioid drugs that then, of course, get turned on to the black market."

In April, Hawley's office won a major victory in its lawsuit against opioid manufacturers, as the St. Louis Circuit Court rejected the manufacturers' attempts to halt the case.

"The judge said that they lost and we could proceed," Hawley said. "And we're going full speed ahead."

The lawsuit against opioid

## Missouri Resident Overdose Deaths



Source: Bureau of Vital Statistics, Missouri Department of Health and Senior Services

manufacturers seeks recovery from the companies that will help Missourians and the state's communities in the form of victim recovery centers, community benefit programs and job training programs.

"We have no interest in feathering the nest of lawyers," Hawley said. "In fact, we are not using any outside counsel for this. We have not gone out and hired a high-profile, high-powered plaintiff firm to conduct this suit. My office is conducting this suit on behalf of the people of Missouri. Our suit is what you elected me to do. It's what you pay us to do, and we're doing it."

Audrain County Presiding Commissioner and MAC Treasurer Steve Hobbs asked the Attorney General about his thoughts on counties

entering into other lawsuits that are being filed by independent law firms across the country.

"We have seen a significant number of counties across the country that have their own lawsuits," Hawley said. "Our lawsuit, on behalf of the entire state, does cover all of the counties, and we're making that claim on behalf of all of you. Any recovery would come back to local communities and to the local victims and families."

"We are out here representing your interests, but that does not foreclose your participation in other legal lawsuits. We're happy to talk with you about that and to give you advice, within the bounds of law, and answer questions like that."



Randolph County Courthouse

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# Supreme Court rules states can collect tax on internet sales

In a 5-4 decision, the U.S. Supreme Court ruled in June that states and local governments can require internet retailers to collect sales taxes, even if the online company has no physical presence like a factory or store, in the state.

Removing the “physical presence” standard is a significant change in the sales tax collection landscape. Sales taxes are the second greatest portion of revenue for counties nationwide, and uniform enforcement and collection is a top priority for county governments. The *South Dakota v. Wayfair* decision ending the physical presence standard is a significant win for local governments, though it does not provide a national, standardized solution.

State and local governments are losing between \$8 billion to \$13.4 billion a year in uncollected taxes for online sales, the Government Accounting Office estimated last year. Some studies put that figure as high as \$26 billion a year, according to the International Council of Shopping Centers. Local sales taxes are collected in 38 states, including Missouri.

Missouri Department of Revenue Director Joel Walters said he was pleased with the outcome.

“Like everyone in the tax community, I have been watching the *Wayfair* case closely,” Walters said. “While I am certainly pleased with the Supreme Court ruling and its move away from *Quill* — which has far outlived its usefulness — it will take some time to process and digest the court’s words and their implication. Beyond that there will be a prolonged period of uncertainty as the U.S. Congress and individual states assess next steps and take a range of potential actions. This

creates opportunities for Missouri, as it does other states, to consider legislative and administrative action in a very different tax policy world.”

In its decision in the case, *South Dakota v. Wayfair*, the high court overturned a 1992 ruling that had let taxes go unpaid for many online purchases. It upheld a South Dakota law that required retailers in the state to collect a 4.5 percent tax on purchases.

Ultimately the court overturned previous cases and sent the case back to the South Dakota Supreme Court. This means the court is leaving the decision up to each state over whether to enforce sales tax collection on remote purchases. Under this framework, each state may have to pass legislation requiring remote sellers to collect these taxes, and if the law is challenged in court, each state supreme court will be responsible for determining what an appropriate standard for “substantial nexus” is in the state, whether it meets standards outlined in the Commerce Clause, and generally if it is appropriate or overburdensome.

The National Retail Federation said after the ruling that federal legislation is necessary to spell out details on how sales tax collection will take place, rather than leaving it to each state to interpret.

To require a vendor to collect sales tax, the vendor must still have a “substantial nexus” with the state. The court found a “substantial nexus” in



The U.S. Supreme Court ruled in June that states can collect sales tax from online retailers.

this case based on the “economic and virtual contacts” Wayfair has with the state.

The National Association of Counties (NACo) and other leading organizations that represent state and local governments applauded the decision — a big win for their members:

“The ruling will ensure parity for Main Street retailers and will help close an ever-growing sales tax collection loophole that results in billions of dollars in revenue going uncollected each year,” NACo said in a statement. “For 26 years, the court has waited for Congress to fix this problem, but Congress demurred. Therefore, the court revisited the issue and recognized that the nature of contemporary commerce necessitates that all sellers, regardless of their location, follow the same laws. No more, no less.”

In the Supreme Court’s decision, Justice Anthony Kennedy wrote the majority opinion, stating that brick-and-mortar stores were being put at a disadvantage by having to charge a sales tax while online retailers did not. That

rule “prevented market participants from competing on an even playing field,” he wrote.

“It is unfair and unjust to those competitors, both local and out of state, who must remit the tax; to the consumers who must pay the tax; and to the states that seek fair enforcement of the sales tax — a tax many states for many years have considered an indispensable source for raising revenue,” he wrote.

In a dissenting opinion, Chief Justice John Roberts said that the decision could detract from online sales “significant and vibrant part of our national economy.”

The Tax Foundation, which is a conservative think-tank, noted that “the decision will certainly change how states look at these laws but we may see states trying to see if their versions could survive even if they are less simplified and direct than South Dakota’s law. This ruling is not a blank

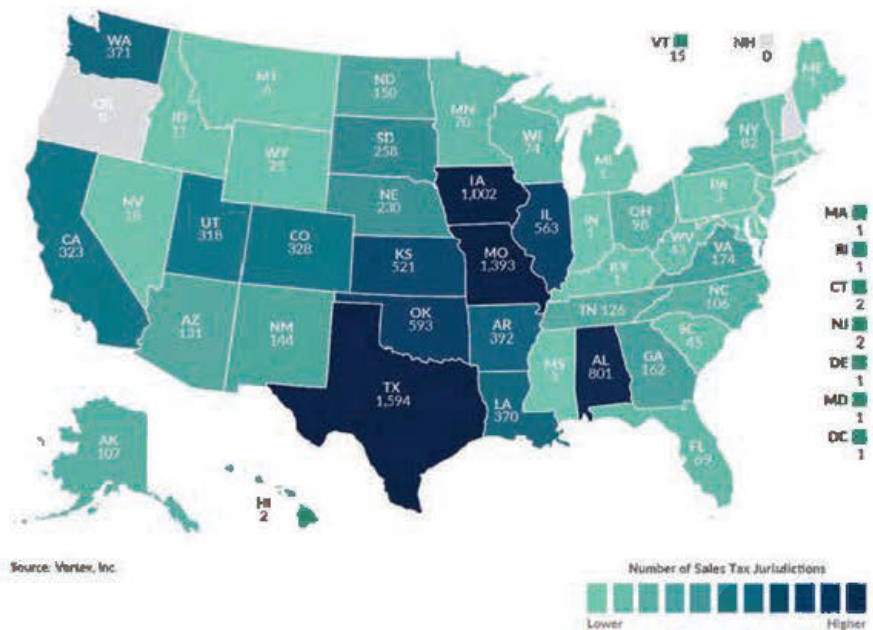
check for states. The court specifically observed that South Dakota’s law, and its tax laws generally, minimizes the burden on interstate commerce.

Other states should craft their laws accordingly.”

*Portions of this article appeared in the June 25 issue of the NACo County News.*

## How Many Sales Tax Jurisdictions Does Your State Have?

Total Sales Tax Jurisdictions by State, 2018



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# Missouri gets the go ahead to update its outdated 911 emergency services

Pinpointing the location of any 911 caller in Missouri may soon be a thing of the past as the state can move forward on modernizing its 911 emergency services after Gov. Mike Parson signed House Bill 1456 into law. And it will be welcome relief for Missourians and its visitors as nearly 80 percent of all 911 calls made across the country now come from a wireless device.

Updating Missouri's 911 emergency services has been a top priority for the Missouri Association of Counties for more than a decade, and has been a priority of Rep. Jeanie Lauer, R-Blue Springs, who has filed legislation to change the state's 911 emergency service laws since 2014. Her perseverance in modernizing the state's 911 emergency services finally paid off when the General Assembly passed her bill and it became law.

"It has taken an enormous amount of time from many volunteers, first responders and other organizations across the state to contribute to this," said Lauer, who is running for a seat in the Jackson County Legislature this year. "It's going to make a significant difference in this state for our citizenry, tourists and first responders."



*Photo courtesy of Tim Bommel, House photographer*

**Rep. Jeanie Lauer, R-Blue Springs, speaks on the House floor during the 2018 Legislative Session. Lauer, who fought for several years to update 911 emergency services through legislation, finally had her bill signed into law.**

Prior to the new law, Missouri was the only state that could not use a wireless recovery fee to help fund 911 services. The only way counties could fund 911 service was through a landline fee or county-level sales tax on landline service. As technology advanced, that funding source soon became a problem as more people relied on wireless devices to communicate rather than the traditional landline, leaving some of Missouri's 185 Public Service Answering Points (PSAP) in the dark

when it came to updating equipment and training to deal with the new ways people were utilizing 911 services. For instance, there are 28 counties in Missouri that cannot locate 911 calls made from a cellphone and that can create problems for emergency personnel when a situation arises.

HB 1456 changes how counties can fund 911 services. With voter approval, counties can place a surcharge up to \$1 on any device that is able to contact 911, which includes landline



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and wireless devices. The surcharge would exclude broadband and internet communications.

“There would be parity across the board,” Lauer said. “What this bill is saying is that the fee will be on any device that directly connects to 911. So let’s say the charge is for 60 cents per line, that would drop landline fees to 60 cents per line and cellphones to 60 cents per line, making it equal across the board.”

While the new law may give counties the opportunity for a new funding mechanism, it also expands the scope of the 911 Service Board. The board now has the authority to review plans to consolidate the state’s 185 PSAPs, something others states have done to save money and make their 911 service more effective. The board will also administer the State Grant Pool, which will be funded through a 3 percent charge on pre-paid services. A portion of the charge

will go back to the counties where the device was purchased, while the rest will go into the grant pool. Funding from the pool will be for PSAP consolidation, technology, training and emergency medical dispatch pre-arrival instructions that dispatchers use during an emergency.

With so many complex issues in the bill, educating local subdivisions will be paramount. Larry “Sonny” Saxton, president of the Missouri National Emergency Number Association (NENA) and a 911 Service Board member, said there will be plenty of opportunities for local officials to learn about the new law.

“Missouri NENA is in the early stages of planning a 911 Summit to bring together interested parties along with subject matter experts,” Saxton said.

And more help in modernizing 911 services across the country is coming from software developers Apple and Google.

The companies are working to make sharing the location of their users with 911 services easier. In May, Apple announced that iPhone users will be able to automatically and securely share their location data with first responders in iOS 12. Apple developed HELO (Hybridized Emergency Location) in 2015, which more precisely locates a mobile 911 caller’s location using cell towers and on-device data sources like GPS and Wi-Fi. The company is now using RapidSOS’s internet protocol-based data pipeline to share HELO location data with 911 call centers.

Google has developed its own version of the technology, called Android Emergency Location Services (ELS), which is available in 15 countries and on more recent Android phones. The technology has not been released in the U.S., but Google is working toward launching its service soon, which will also use RapidSOS to help pinpoint location.



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# Transportation funding back in the hands of Missouri voters this fall

Missourians are no stranger to voting on taxes aimed at funding the state's transportation network. It just hasn't worked out too well in the past, as Missouri has the seventh largest network of highways in the country and funding that ranks right near the bottom.

This November, voters will get another crack at solving Missouri's transportation needs when they go to the polls to cast a vote on Proposition D, which calls for a 10-cent increase to the motor vehicle fuel tax over a four-year period. If it passes, the measure would generate an additional \$288 million annually to the State Road Fund and \$123 million annually for local governments that will be used for construction and maintenance. The measure will also make all motor fuels and alternative fuels be taxed at equivalent rates beginning Jan. 1, 2026.

Missouri's motor vehicle fuel tax has not increased since 1996 and currently stands at 17 cents per gallon. Voters rejected two proposals since 1996 to increase transportation funding, but both of those votes were tied to sales tax increases. In 2002, a motor fuel tax increase of 4 cents per gallon and a ½-percent sales tax increase was crushed by a margin of 3-to-1. Then in 2014, voters turned down Amendment 7, which would have raised the state's sales tax by ¾-cent for 10 years to be used for transportation funding, by a large margin.

Four years later, Missouri voters will once again decide on whether they want to raise the gas tax. The 10-cent increase would go in effect on July 1, 2019 and be phased in over a four-year period before settling at 27 cents per gallon in 2022.

The additional funding raised by



*Photo courtesy of the Missouri Department of Transportation*

**Missouri voters will get another chance in November to address the state's transportation needs when they vote on whether to raise the gas tax 10 cents.**

the gas tax increase will go into the State Road Fund, which distributes a portion of the money to cities and counties for transportation projects and maintenance. Money in the State Road Fund is used for the construction and repair of state-owned highways and bridges, as well as funds the Missouri Highway Patrol. But the funding for the state's law enforcement agency has always been subject to appropriation and this measure would keep that language in place.

The General Assembly made it a priority this year to address transportation funding, filing several bills during the session. All except one failed to cross the finish line. In the dying days of the regular session, Senator Dave Schatz, R-Sullivan, was able to place the gas tax increase on House bill 1460 that exempted Olympic medalists from paying state taxes on prizes or awards. Since the gas tax was tacked onto that bill, the tax exemption for Olympic medalist will be included in the ballot language. Schatz's amendment to HB 1460 was the same as his Senate Bill 734 that he filed in December.

Schatz is no stranger to the problems

Missouri faces with its transportation. He served as Vice Chair on the 21st Century Missouri Transportation System Task Force and spent several months listening to citizens, local government leaders and businesses owners speak about the need for new transportation funding.

"I have been involved in transportation policy for years," Schatz said. "Having served as the House and Senate Transportation Chairman and over last summer as the Vice Chair of the transportation taskforce, it was obvious to me that we needed to readjust the fuel tax to stop the inflation erosion we have seen since 1996. Both MoDOT and our local governments are being asked to do too much with too little and inflation has eaten away at the true value of the gas tax since it was last adjusted 22 years ago. It is my hope that the combination of prevailing wage reform and enhanced transportation funding will empower our local communities to tackle the backlog of bridge repairs and update infrastructure for the future."

The task force, which was chaired by Rep. Kevin Corlew, R-Kansas City,

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# Missouri Securities Investment Program

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was made up of state officials, business leaders and a bipartisan group of lawmakers. In January, the task force released its 87-page report, calling for a 10-cent increase in gasoline tax and a 12-cent increase in diesel fuel tax to pay for Missouri's transportation network.

While the bill may have not been exactly what the task force recommended, Corlew told members of the House that it was the duty of the body to move forward on transportation funding.

"Our grandparents built us a tremendous infrastructure, transportation system here in Missouri," Corlew said. "... We've got a system that can really keep our citizens safe, move commerce and move our economy, if we choose to maintain it and if we choose to build upon it."

After several minutes of debate, the House passed the bill by a vote of 88-60. Schatz is hoping Missourians will do the same this November.

"This issue is so important to me that I will be working on the campaign throughout the summer and fall," Schatz said. "I am calling on everyone that cares about our infrastructure and the safety of our roads and bridges to vote Yes on Proposition D and to join in speaking to their neighbors and communities about the importance of this measure. A 2½-cent increase in the motor fuel tax will only cost the average driver about \$2 a month, and I think \$2 a month is a great deal for ensuring safety on our state and local roadways."

An effort to stop the November vote has been put forth by Rep. Mike Moon, R-Ash Grove. Moon filed a lawsuit in July arguing the referendum violates the state's constitution because it deals with a tax increase on a bill authorizing a tax deduction for Olympic medals and prizes.

## Additional CART funds counties may receive with a gas tax increase

**Please note:** Funds represented in the table are for the fully implemented gas tax increase of 10 cents, which will not be fully implemented until 2022. The amounts in the table are based on 2017 data that was compiled by the Missouri Department of Transportation.

Adair	\$353,088	Livingston	\$323,292
Andrew	\$396,593	McDonald	\$409,715
Atchison	\$332,504	Macon	\$451,980
Audrain	\$468,923	Madison	\$188,313
Barry	\$719,906	Maries	\$249,616
Barton	\$373,879	Marion	\$327,465
Bates	\$510,181	Mercer	\$223,839
Benton	\$435,332	Miller	\$471,391
Bollinger	\$309,590	Mississippi	\$224,633
Boone	\$923,524	Moniteau	\$303,856
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Butler	\$659,100	Montgomery	\$316,801
Caldwell	\$313,790	Morgan	\$696,877
Callaway	\$879,677	New Madrid	\$431,513
Camden	\$1,562,397	Newton	\$689,864
Cape Girardeau	\$576,141	Nodaway	\$628,275
Carroll	\$449,244	Oregon	\$289,488
Carter	\$182,709	Osage	\$318,751
Cass	\$749,130	Ozark	\$373,811
Cedar	\$331,589	Pemiscot	\$322,696
Chariton	\$406,601	Perry	\$340,196
Christian	\$800,969	Pettis	\$596,998
Clark	\$281,172	Phelps	\$491,632
Clay	\$492,798	Pike	\$330,571
Clinton	\$374,479	Platte	\$839,855
Cole	\$624,629	Polk	\$499,378
Cooper	\$311,159	Pulaski	\$475,897
Crawford	\$381,195	Putnam	\$304,960
Dade	\$303,541	Ralls	\$319,970
Dallas	\$391,377	Randolph	\$460,941
Daviess	\$379,120	Ray	\$437,753
Dekalb	\$352,524	Reynolds	\$437,150
Dent	\$354,715	Ripley	\$246,493
Douglas	\$402,203	St. Charles	\$2,073,916
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Greene	\$1,932,995	St. Louis City	\$1,030,732
Grundy	\$251,502	Saline	\$418,034
Harrison	\$409,765	Schuyler	\$167,449
Henry	\$434,640	Scotland	\$253,071
Hickory	\$257,574	Scott	\$283,013
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Lafayette	\$452,513	Wayne	\$304,292
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Lewis	\$255,048	Worth	\$135,010
Lincoln	\$629,399	Wright	\$376,854
Linn	\$346,380		
		<b>Total</b>	<b>\$61,843,911</b>



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# 2018 Legislative Conference







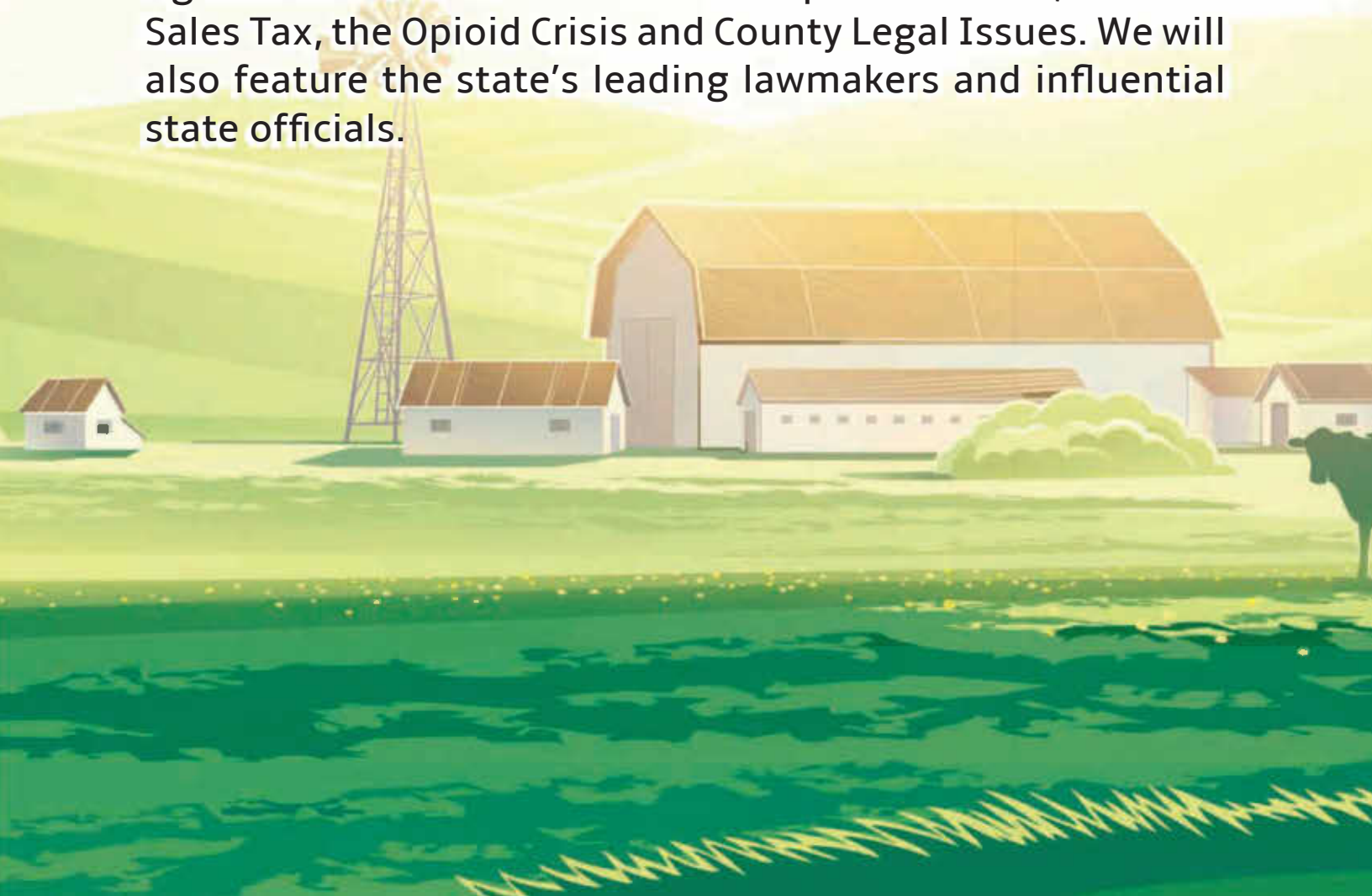
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## Bills, court ruling change Missouri's employment laws

By Travis A. Elliott  
MAC General Counsel

This year has brought a whirlwind of change to public sector employment laws in Missouri and nationwide, relating to public sector labor unions, and to a lesser extent, prevailing wage.

### HB 1413

On June 1, 2018, former Governor Eric Greitens signed HB 1413, which added substantial changes to the Missouri Public Sector Labor Law.



Importantly, HB 1413 requires public employees to provide annual authorization before withholdings may be made from the employee's earnings for union dues, agency shop fees, or other fees paid by members of a labor organization or public employees who are non-members. In addition, the provisions of this bill impose a number of requirements on labor organizations, including maintaining certain financial records similar to the requirements under federal law, and filing of financial disclosure statements by officers and employees of labor organizations.

HB 1413 also provides that supervisory public employees may not be included in the same bargaining unit as the public employees that they supervise and the same labor organization may not represent both non-supervisory and supervisory public employees.

Recognition of a labor organization may only be obtained through a secret ballot election before the State Board of Mediation, after the board is presented

with cards containing signatures of at least 30 percent of the employees in the bargaining unit. Furthermore, more than 50 percent of all public employees within the bargaining unit must vote in favor of certifying the labor organization as the exclusive representative. Voluntary recognition by a public body is prohibited. Labor organizations must be re-certified every three years.

Notably, HB 1413 did not modify the exclusionary language contained in § 105.510, RSMo., that excludes certain employee groups from the right to form and join labor organizations, including deputy sheriffs. However, HB 1413 also added a provision that excludes "public safety labor organizations" from the provisions of §§105.500 – 105.598, RSMo. Public safety labor organizations are defined to include labor organizations that wholly or primarily represent persons trained or authorized by law to render emergency medical assistance or treatment, including, but not limited to firefighters, ambulance attendants,

attendant drivers, emergency medical technicians, emergency medical technician paramedics, dispatchers, registered nurses and physicians, and persons vested with the power of arrest for criminal violations, including police officers, sheriffs, and deputy sheriffs. It is unclear at this time the full nature and extent the effect these provisions and their interpretation will have on public entities with respect to public sector unions.

### Janus v. AFSCME

On June 27, 2018, the United States Supreme Court changed 41 years of existing labor law by overturning a key labor law case, *Abood v. Board of Education*, which had been in effect since 1977. In *Janus*, the Supreme Court declared unconstitutional a state law that compelled public employees to financially support a union. Prior to this decision, the Supreme Court's decision in *Abood* allowed public unions to collect fees from non-members as long as the union's expenditures were "germane"

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to collective-bargaining activities (chargeable expenditures) and were not spent on political and ideological projects (nonchargeable expenditures). However, opponents of the law under *Abood* argued that it was difficult to differentiate between chargeable and nonchargeable expenditures. Union expenditures could drift into political activities that were against the ideals and personal viewpoints of many non-union members. Non-union members questioned why they were being forced to pay dues that furthered interests they did not endorse.

The *Janus* decision involved a challenge that sought to declare unconstitutional a law which allowed public sector unions to assess mandatory union dues or “agency fees” on non-union members. The case involved an Illinois state employee who refused to join the American Federation of State, County and Municipal Employees (“AFSCME”) because he opposed many of the public policy positions that the union advocated, including positions it took in collective bargaining. However, under the collective-bargaining agreement, Janus was required to pay \$535 per year in dues. In a close 5-4 vote, the court declared the law unconstitutional, holding that the law violated the First Amendment and the free speech rights of non-union members by compelling them to financially support the union’s political positions. In the opinion authored by Justice Alito, the court stated, “A significant impingement on First Amendment rights occurs when public employees are required to provide financial support for a union that takes many positions during collective bargaining that have powerful political and civic consequences.” The court held that the First Amendment does not allow forced subsidies such as those authorized by Illinois’ agency-fee approach.

House Bill 1413 and the *Janus* decision will no doubt affect the nature

continued on page 24



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continued from page 23

and extent of participation by public employees in union membership in the State of Missouri.

### **House Bill 1729**

Governor Mike Parson's signature on House Bill 1729 brought another change in public sector employment law relating to the payment of prevailing wage on public works construction projects. While the changes to Missouri's prevailing wage law are likely less substantial than those relating to public sector unions, there are two changes of note. First, for public works projects where the engineer's estimate or the bid accepted for the total project cost is \$75,000 or less, the requirements relating to prevailing wage do not apply. If a project in that category ultimately exceeds \$75,000, due to change orders increasing the cost, the prevailing wage requirements only apply to the portion of the project that exceeds \$75,000. The change will be most useful in tackling the often-disputed, and misunderstood, issue of identifying whether certain work constitutes maintenance work for which the prevailing wage does not apply, or public works for which the prevailing wage does apply. Of course, this threshold requirement will not affect substantial county public works projects such as construction of courthouses and jails, major road and bridge projects, and the like.

Second, if the total number of reportable hours for a particular occupational title in a locality exceeds 1,000 hours for a year, the prevailing wage provisions will apply. However, if the total number of reportable hours for a particular occupational title in a locality is less than 1,000 hours for a year, then the public works contracting minimum wage applies. The public works contracting minimum wage is calculated on a county-by-county basis by taking the average hourly wage in a locality and multiplying it by 120 percent. The general consensus is that this provision will have limited

applicability given the relatively low number of hours required to trigger the prevailing wage provisions, especially with respect to the most-relied upon occupational titles. For example, it would only take five employees in a specific occupational title working on a project in a county for five weeks (at 40 hours a week) to trigger the prevailing wage provisions for that occupational

title. Thus, while there will likely be many occupational titles in many counties for which the prevailing wage requirements will not be triggered, those occupational titles that are heavily relied upon in public works construction will almost certainly be subject to the prevailing wage requirements if only a handful of projects are performed in that county in the course of a year.

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# Slight decrease in projected revenue for FY 2019 CART funds

Missouri Department of Transportation (MoDOT) officials project that for the state's FY 2019 each penny of the state gas tax is expected to bring in \$41.2 million. With the total gas tax set at 17 cents, that means \$700.4 million will be divided among the state, counties and cities for road and bridge maintenance and repair.

For FY 2019, the county share of the gas tax is projected to be approximately \$81.8 million. MoDOT also projects the county intake from the FY 2019 motor vehicle sales/use tax will be \$16.7 million, while projecting vehicle fees for the new state fiscal year will net counties an estimated \$11.3 million.

Total county revenues from these three sources should be approximately \$109.8 million, slightly less than last year's projection of \$109.9 million.

To figure a county's portion of FY 2019 County Aid Road Trust (CART) revenues, simply use the \$109.8 million times the county's new percentage share listed in the table.

## Example #1 (for Ralls County)

$$\$109.8 \text{ million} \times .0053 = \$581,940$$

In order to know the breakdown from each of the three sources that make up county CART revenues, use the following steps:

## Example #2 (for Ralls County)

### Gas tax revenues

$$\$81.8 \text{ million} \times .0053 = \$433,540$$

### Motor vehicle sales/use tax revenues

$$\$16.7 \text{ million} \times .0053 = \$88,510$$

### Motor vehicle fees

$$\$11.3 \text{ million} \times .003 = \$59,890$$

The tally of these three figures will approximate the amount in Example #1 and provide the county's projected CART revenues for the state's FY 2019.

**Please note:** Projections are only for the state's FY2019 budget. It does not reflect any increase in CART Funds for the 2019 calendar year if Proposition D (gas tax increase) wins voter approval this fall.

## County Aid Road Trust (CART) funds

CART Funds are apportioned on the basis of two factors: one-half of the funds are credited on the ratio a county's road mileage bears to the total county road mileage in the unincorporated areas of the state, and one-half is based on the ratio that county rural land valuation bears to the rural land valuation of the entire state. Total 2018 Missouri county road mileage is 73,698.2. Total 2018 assessed valuation in the unincorporated areas is \$23,851,524,732.

The CART distribution percentages for FY 2019 (shown in the accompanying table) are based on these 2018 figures.

## County CART percents for 2019 budgeting

Adair	.0058	Linn	.0057
Andrew	.0065	Livingston	.0053
Atchison	.0055	McDonald	.0067
Audrain	.0077	Macon	.0074
Barry	.0118	Madison	.0031
Barton	.0061	Maries	.0041
Bates	.0084	Marion	.0054
Benton	.0072	Mercer	.0037
Bollinger	.0051	Miller	.0078
Boone	.0152	Mississippi	.0037
Buchanan	.0055	Moniteau	.0050
Butler	.0108	Monroe	.0060
Caldwell	.0052	Montgomery	.0052
Callaway	.0145	Morgan	.0115
Camden	.0257	New Madrid	.0071
Cape Girardeau	.0095	Newton	.0113
Carroll	.0074	Nodaway	.0103
Carter	.0030	Oregon	.0048
Cass	.0123	Osage	.0052
Cedar	.0055	Ozark	.0061
Chariton	.0067	Pemiscot	.0053
Christian	.0132	Perry	.0056
Clark	.0046	Pettis	.0098
Clay	.0081	Phelps	.0081
Clinton	.0062	Pike	.0054
Cole	.0103	Platte	.0138
Cooper	.0051	Polk	.0082
Crawford	.0063	Pulaski	.0078
Dade	.0050	Putnam	.0050
Dallas	.0064	Ralls	.0053
Daviess	.0062	Randolph	.0076
DeKalb	.0058	Ray	.0072
Dent	.0058	Reynolds	.0072
Douglas	.0066	Ripley	.0041
Dunklin	.0074	St. Charles	.0341
Franklin	.0198	St. Clair	.0056
Gasconade	.0051	St. Francois	.0074
Gentry	.0046	Ste. Genevieve	.0066
Greene	.0318	St. Louis	.0991
Grundy	.0041	Saline	.0069
Harrison	.0067	Schuyler	.0028
Henry	.0071	Scotland	.0042
Hickory	.0042	Scott	.0047
Holt	.0046	Shannon	.0056
Howard	.0036	Shelby	.0049
Howell	.0107	Stoddard	.0099
Iron	.0036	Stone	.0117
Jackson	.0091	Sullivan	.0046
Jasper	.0127	Taney	.0115
Jefferson	.0377	Texas	.0089
Johnson	.0125	Vernon	.0087
Knox	.0043	Warren	.0066
Laclede	.0077	Washington	.0051
Lafayette	.0074	Wayne	.0050
Lawrence	.0094	Webster	.0086
Lewis	.0042	Worth	.0022
Lincoln	.0103	Wright	.0062



## What Missouri owes after FY 2018 fourth quarter payments

The State of Missouri owes Missouri counties and the City of St. Louis \$20.2 million after making FY 2018 fourth quarter payments for jail reimbursements for detaining state prisoners for the number of days they spent in jails while their court cases were processed.

According to data provided by the Missouri Department of Corrections

(DOC), the \$20.2 million includes the amount owed after FY 2018 fourth quarter payments were made. The amounts owed do not include claims made during the fourth quarter, and may include claims that still need to be audited. Therefore, the amount owed each county and the City of St. Louis may not be completely accurate.

The DOC begins paying claims

after the claims are audited and when quarterly funds are released by the Office of Administration, which falls on July 1, Oct. 1, Jan 1 and April 1.

The board rate for jail reimbursement stands at \$22.58 per day, per inmate for FY 2019. The rate is appropriated by legislation and approved by the governor.

MAC will continue to track this issue.

Adair	\$148,243.88	Greene	\$1,417,874.58	Pemiscot	\$84,078.40
Andrew	\$0.00	Grundy	\$34,154.72	Perry	\$118,221.17
Atchison	\$4,249.06	Harrison	\$59,157.94	Pettis	\$209,928.18
Audrain	\$150,867.68	Henry	\$126,081.44	Phelps	\$369,299.83
Barry	\$223,909.58	Hickory	\$28,090.22	Pike	\$29,712.98
Barton	\$21,235.44	Holt	\$11,830.26	Platte	\$429,577.92
Bates	\$57,261.96	Howard	\$4,911.62	Polk	\$160,323.06
Benton	\$33,664.98	Howell	\$45,581.54	Pulaski	\$159,571.22
Bollinger	\$49,038.66	Iron	\$54,483.80	Putnam	\$27,028.16
Boone	\$567,978.05	Jackson	\$1,889,324.46	Ralls	\$31,867.38
Buchanan	\$200,265.02	Jasper	\$382,380.23	Randolph	\$96,343.08
Butler	\$204,428.62	Jefferson	\$356,495.15	Ray	\$98,777.14
Caldwell	\$14,781.20	Johnson	\$124,993.78	Reynolds	\$23,269.16
Callaway	\$224,029.76	Knox	\$10,408.64	Ripley	\$100,596.62
Camden	\$120,066.70	Laclede	\$239,170.72	Saline	\$197,545.58
Cape Girardeau	\$388,734.60	Lafayette	\$256,483.00	Schuyler	\$14,302.00
Carroll	\$9,557.98	Lawrence	\$228,941.24	Scotland	\$18,160.08
Carter	\$15,359.46	Lewis	\$6,341.30	Scott	\$261,468.42
Cass	\$232,129.30	Lincoln	\$259,979.94	Shannon	\$6,253.80
Cedar	\$44,529.38	Linn	\$37,648.64	Shelby	\$21,362.36
Chariton	\$41,835.96	Livingston	\$82,163.28	St. Charles	\$727,035.56
Christian	\$131,058.04	Macon	\$43,761.10	St. Clair	\$75,193.68
City of St. Louis	\$2,554,759.08	Madison	\$21,732.50	St. Francois	\$527,801.96
Clark	\$23,767.00	Maries	\$11,312.66	St. Louis County	\$574,820.40
Clay	\$728,594.10	Marion	\$250,619.94	Ste. Genevieve	\$159,208.50
Clinton	\$54,882.56	McDonald	\$59,014.76	Stoddard	\$108,977.68
Cole	\$72,466.86	Mercer	\$18,729.22	Stone	\$82,962.14
Cooper	\$45,954.20	Miller	\$125,109.22	Sullivan	\$9,156.88
Crawford	\$179,372.10	Mississippi	\$151,039.80	Taney	\$167,939.64
Dade	\$24,701.64	Moniteau	\$29,474.64	Texas	\$100,310.05
Dallas	\$87,918.56	Monroe	\$0.00	Vernon	\$134,265.34
Daviess	\$25,928.94	Montgomery	\$68,349.76	Warren	\$119,320.40
Dekalb	\$102,337.30	Morgan	\$156,690.16	Washington	\$110,330.98
Dent	\$66,505.56	New Madrid	\$206,997.98	Wayne	\$102,514.36
Douglas	\$50,673.96	Newton	\$80,265.12	Webster	\$287,910.84
Dunklin	\$304,665.82	Nodaway	\$7,848.62	Worth	\$18,643.21
Franklin	\$132,331.35	Oregon	\$8,609.85	Wright	\$148,282.66
Gasconade	\$24,443.77	Osage	\$20,171.52		
Gentry	\$4,745.96	Ozark	\$38,129.84	<b>Total</b>	<b>\$20,233,988.08</b>

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# Achievement Awards Competition for 2018

**Deadline: Oct. 5, 2018**

## Entry Instructions

1. Use the entry form format on the next page to create the first page of the entry form submission.
2. Obtain a letter of authorization. This is simply a letter signed either by a county executive or presiding commissioner authorizing the entry of the county's program(s) in the Achievement Awards Competition. Counties may submit one (1) letter of endorsement for all entries, but please list each entry by program name in the letter of endorsement.
3. Construct the executive summary. This is the statement of the challenge and the solution. The executive summary is a very important part of your entry. It must be no more than three 8½ by 11 double-spaced pages. Since this may be published for statewide distribution, please present the information how it should be used in print. MAC reserves the right to edit this material.

## Last year's winners

### Randolph County

- Tax collection drive-through service

### St. Francois County

- Recycling tax money to create a morgue

## MAC invites counties to enter the 2018 Achievement Awards Competition

These unique awards recognize the innovative and creative spirit of Missouri county governments in finding new and effective ways of providing programs and services to its citizens.

Please read the following instructions and consider entering a county's program(s)/project(s) to win one or more of these awards.

Judges will be looking for programs that are innovative, unique and easily replicable. County programs or projects submitted must have been in existence for at least one year.

Only programs that are county programs will be considered.

## Selection Criteria

A panel of county officials will evaluate the entries. Judges' decisions are final. The following criteria will be used to select the winners:

- Statement of the problem and solution.
- Innovation, resourcefulness, vision, uniqueness, and risk-taking.
- Replicability of the program/project.
- Cost-effectiveness of the program/project.



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## Entry form format

Please use the format below as a guide in creating the first page of the entry form submission for the Achievement Awards Competition:

### Title of the entry

(to be used on this award — maximum of seven words)

---

---

County name (for joint submissions, please list all counties involved)

---

Contact name and title

---

Mailing address

---

City

State

Zip

---

Phone

Ext.

---

Email

---

### Organize the entry's executive summary as follows:

**Overview** – Provide a brief, 25-word summary of the program or project.

**Problem or Challenge** – Describe the problem or challenge the county faced and the process used to address it.

**Solution** – Describe the steps taken by the county to solve the problem or overcome the challenge.

**Budget/Cost/Savings** – How much money was budgeted for funding the project?

- List all sources of funding for the project.
- Did the project come within/under budget?
- What is the measure of increased productivity or time saved?

**Results** – Describe the results of the program/project. Discuss how the program or project has positively affected the community, improved delivery of services to the public, or improved administration of a program internally.

**Project or Program Contact** – List the name, title, mailing address, phone and email address of the person who can be contacted about the program.

**Optional Submission** – If the program involved the development of a video, brochure or pictures of progress, please enclose or email copies with the submission. Items will not be returned and become the property of MAC.

## General information

All recipients will be notified by mail upon completion of judging in the fall.

Achievement Awards will be presented at MAC's Annual Conference and Expo on Nov. 18-20 at the Lake of the Ozarks.

In the event that a multi-county application is honored, each county will receive an award.

If you have any questions, contact Carah Bright, MAC Member Relations, at 573-634-2120, or email [cbright@mocounties.com](mailto:cbright@mocounties.com)

### Include the following

- Completed entry form.
- Three-page executive summary.
- Copy of endorsement letter authorizing entry.

*(One letter may be used for multiple entries, but please include a copy for each entry.)*

**Mail or deliver all of the above to:**

**Missouri Association of Counties**  
516 E. Capitol Ave., PO BOX 234  
Jefferson City, MO 65102-0234

**or email to:** [cbright@mocounties.com](mailto:cbright@mocounties.com)



## NACo's Live Healthy Program can save counties money

The NACo Live Healthy Program provides relief to uninsured and underinsured Americans who face high prescription, health and dental costs. The program is free to NACo member counties and has been offering real savings to county residents across the country since 2004. The program, which is administered by CVS Caremark, includes discounts on prescriptions, vision care, LASIK & PRK vision procedures, hearing aids & screenings, prepaid lab work, prepaid diagnostic imaging, diabetic supplies and dental care.

The prescription portion of the program continues to grow, providing average savings of 24 percent on thousands of medications. The savings range from 15-75 percent, and the free discount card is accepted at more than 68,000 pharmacies nationwide. Adding the dental discount program enables residents to save on all health services through one program. This program helps residents of NACo member counties save 15-50 percent on dental care and is honored by more than 110,000 participating providers nationwide. The dental discounts help people who are uninsured, but can also complement health insurance plans

or work with health savings accounts and flexible spending accounts.

The program is free for member counties and inexpensive for residents:

- Prescription Drug Discount Card: Free for residents,
- Dental Discount Program: \$6.95/month or \$69/year for individuals. \$8.95/month or \$79/year for families, and
- Medical Services: \$6.95/month



**PRESCRIPTION, DENTAL AND HEALTH  
DISCOUNT PROGRAMS FOR RESIDENTS**

or \$69/year for individuals. \$8.95/month or \$79/year for families.

For more information about the program, visit [www.naco.org/health](http://www.naco.org/health).



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### County Government Team:

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**Jim Thurman**  
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