

HCS SS SB 769 -- STATE AND LOCAL STANDARDS

SPONSOR: Kraus (Cierpiot)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation Funding and Public Institutions by a vote of 9 to 0.

This substitute changes the laws regarding state and local standards including agricultural vocational education in private schools, certification of fire sprinkler contractors, residential construction regulatory systems, and anemometer towers.

AGRICULTURAL VOCATIONAL EDUCATION IN PRIVATE SCHOOLS

The State Board of Education within the Department of Elementary and Secondary Education must develop standards for agricultural vocational education that may be adopted by a private school in order to qualify the school to apply to the state chapter of the Future Farmers of America for the approval of a local chapter. The standards must be equivalent to those for federal vocational education, but the local chapter will not be eligible to receive state or federal vocational education funding.

CERTIFICATION OF FIRE SPRINKLER SYSTEM CONTRACTORS

The substitute:

- (1) Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal within the Department of Public Safety;
- (2) Allows a municipality, county, or any other local governmental body or jurisdiction to require a contractor to obtain a permit and pay a fee for the installation of a fire sprinkler system and the installation to be in conformance with its building code or other construction requirements;
- (3) Authorizes the Office of the State Fire Marshal within the Department of Public Safety to establish rules and regulations regarding the application content and the procedures for filing an application for a certificate of registration or a renewal of certification, all applicable fees, and establishing procedures for granting reciprocity with other states;
- (4) Establishes requirements which a contractor must meet in order to obtain a certificate of registration, including demonstrating his or her own knowledge or the employment of a person with specified training or certification in the area of fire sprinkler installation and service;

(5) Specifies the procedure for the certification renewal process;

(6) Requires the certificate of registration to be displayed conspicuously in the contractor's place of business;

(7) Creates the Fire Sprinkler Contractor Registration Fund for the deposit of fees collected for the administration of the provisions of the bill;

(8) Requires the fire marshal to send a written notice at least 30 days prior to the expiration of a certificate;

(9) Requires an applicant to provide evidence of liability insurance in the amount of at least \$1 million for all occurrences per policy year;

(10) Authorizes the fire marshal to file a complaint with the Administrative Hearing Commission against certified contractors for specific violations. If grounds for discipline are found, the fire marshal is authorized to censure or place a contractor on probation for up to five years or suspend for up to three years or revoke the contractor's certificate of registration; and

(11) Authorizes the fire marshal to seek an injunction, restraining order, or other order, if appropriate, to prevent a person or organization from holding himself, herself, or itself out as a certified fire sprinkler contractor.

RESIDENTIAL CONSTRUCTION REGULATORY SYSTEMS

If any city, town, village, or county adopts, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection district wholly or partially located therein is prohibited from enforcing or implementing a residential construction regulatory system. Any regulatory system adopted by a fire protection district must be treated as advisory only and cannot be enforced. Fire protection districts will have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes and can inspect residential dwellings but cannot charge a fee for the services.

ANEMOMETER TOWERS

The substitute requires 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 and whose appearance is not otherwise mandated by state or federal law 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 until January 1, 2014, to comply with these requirements. A violation of these provisions is a class B misdemeanor.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that there is a problem for lifeflight helicopters. Many of these towers are located close to highways and blend into the surroundings. It is a safety matter for these pilots to be able to see the towers.

Testifying for the bill were Senator Kraus; Jerry Kirchoff; Missouri Ambulance Association; and Air Methods Corporation.

OPPOSERS: There was no opposition voiced to the committee.