



## LEGISLATIVE BULLETIN

Published semi-monthly during the Missouri Legislative Session by the

### LEAGUE OF WOMEN VOTERS OF MISSOURI

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Volume XXXX, Issue 4

March 5, 2010

### LAST CALL FOR LWVMO LEGISLATIVE DAY – March 23

This great opportunity to learn, participate, network, advocate, and have fun is coming soon! A special guided tour of the Supreme Court (directly across the street from the Capitol) will take place from 11:30 – 12:15 or so. We will return to Hearing Room 2 in the Capitol basement for lunch together and additional networking. The only cost for the day is for food, \$15, with reservations accepted through March 19 at the LWV office (314-961-6869) or leave a message at 660-263-5725 anytime. You can send in your money beforehand or pay at registration on the 23<sup>rd</sup>.

Plan on getting to bed early the night before so you can arrive in Jefferson City early for a full day. Breakfast and registration will begin at 8:30 (Hearing Room 2, Capitol basement) where legislators have been invited to drop by informally and meet League members. They are most likely to be free from then until 10:00 a.m. when Sessions generally start. (You might even catch an Elections Committee Hearing at 8:00 that morning). Directors will provide “hot off the press” updates on issues we are following, and you’ll receive a packet of other information to help make your day easy and productive. We will have brief presentations from **Paula Hodges** from the Civic Engagement Table (required photo ID), **Amy Blouin** from the Missouri Budget Project on the “fair tax”, a representative from the **Secretary of State’s** office on election issues, **Rep. Sara Lampe** will give us the latest scoop on the budget, and **Otto Fajen** (MNEA) will share happenings regarding education/taxes.

Participants will also have time to observe in the House and Senate galleries, visit legislators’ offices, and make individual contacts with legislators. Presentation of a resolution honoring the 90<sup>th</sup> birthday of LWV in the Missouri House is planned (probably between 10-10:30) where member of League will be introduced, so a large contingent from around the state would be great. Hope to see you there!

### TAXES – Elaine Blodgett

*(Ed. Note: Remember the old saying “It’s not over until the fat lady sings”? Keep that in mind as we continue the saga on taxes. Many constituencies in the state are screaming about the “mega tax” proposal—the Municipal League, Missouri Association of Counties, education*

*groups, convenience stores, even the Chamber of Commerce isn't happy. While protesters were "marching forth" outside the Capitol on Mar. 4 . . .)*

The Senate unveiled its substitute bill for **SJR 29** March 4. A number of exemptions were added (such as gasoline and private K-12 education) and an overall CAP of 7 percent was placed on the sales tax. Going up, anyone? Excerpts follow:

- All revenues lost as a result of the prohibition on the taxation of income under this section shall be replaced, effective July 1, 2013, by the levy and imposition of a tax upon the consumption or use in this state of taxable property or services which shall not exceed seven percent.
- No tax shall be imposed under this section on: (1) Intangible personal property (2) Property for which the tax authorized under this section has been collected due to a prior taxable transaction (3) Property purchased to be a component part or ingredient or new personal property to be sold at retail (4) Property or service purchased by a person engaged in a trade or business, including agriculture, to be used in such trade or business for resale, to produce, provide, render or sell taxable property or services, for purposes of appreciation or the production of income, or in furtherance of other bona fide business purposes (*whew!*) (5) tuition and fees paid to an accredited institution of higher education for educational services (6) Tuition and fees paid to any elementary, secondary, or vocational school for educational services (7) Motor fuel purchases subject to an excise tax (8) Insurance premiums (9) Monetary donations and purchases of tangible property on behalf of, for, or by charitable organizations.
- The general assembly may only enact additional exemptions to the tax authorized under this section by general law approved by an affirmative vote of no less than two-thirds of the elected members of both chambers and approved by the Governor (*better make all the exceptions before this bill is approved!*). The burden of proof for establishing a tax liability shall be borne by the state in all legal proceedings.

## **ENERGY/CLIMATE CHANGE – Win Colwill**

Good news! **HB 1667** (McNeil) which requires new state-funded buildings and major renovations to meet high performance, green building standards, was reported "Do Pass" on Feb. 23 by the House Energy & Environment Committee. The companion bill, **SB 952** (Wright-Jones) was heard Mar. 3 by the Senate Agriculture Committee. LWVMO submitted **support** statements on both bills. LWVMO, two architects, DNR, and two representatives of clean energy coalitions spoke in support at the Senate hearing; there was no opposition. State buildings designed to achieve LEED Silver or 2 Green Globes certification are energy-, water- and resource- efficient, produce fewer emissions, and provide a healthier work environment.

**SB 745** (Bray) requires new construction statewide to meet minimum energy efficiency standards, a measure advocated by the League since 1979 to conserve energy, reduce utility bills and the need for new power plants. Senator Bray submitted LWVMO's **support** statement at the Senate Commerce Committee hearing on Mar. 2. Missouri is one of *only 8 states* without a statewide energy code; the state's few local energy codes lack uniformity and many areas have none.

**HB 1851** (Nolte) would change the intent of Proposition C to allow nuclear energy to be named a renewable source of energy that utilities could use to meet mandated targets. The initiative approved by 66% of Missouri voters in 2008 stated “not including nuclear energy” in the list of renewable sources. Uranium is not a renewable source; it is finite. LWVMO **opposes** this bill. There has been no further action on it since the Utilities Committee hearing on Feb. 16.

**SCR 46** (Stouffer) and **HCR 46** (Funderburk) urge Congress not to enact cap-and-trade legislation. The House resolution also calls on Congress to reject EPA’s “endangerment finding” that certain greenhouse gases (including carbon dioxide) threaten the public health and welfare. These resolutions aim to stop Federal action to reduce global warming emissions from vehicles and large stationary sources. Passage of climate/energy legislation is a LWVUS priority. LWVMO strongly **opposes** the resolutions.

### **MENTAL HEALTH/HEALTH – Lael Von Holt**

Legislation of interest this week includes **HB 1298** (Roorda) which prohibits denial of mental health care and treatment for children who are alleged victims of abuse and neglect. **HB 1398** has had no action since being second read on Jan. 7. This bill has been recommended for assignment to the Judiciary Committee but no assignment has been made. Volume of filings and party affiliation are offered as possible cause. League has requested that Speaker Richard give this bill recognition and move it along.

Bipartisan action in the Legislature continues to promote health insurance coverage for autism spectrum disorders. Although momentum has slowed this past week, any progress is encouraging in view of the national health debate and the risky state budget cuts. **SB 618** (Rupp) is #1 on the Senate Formal Calendar for Third Read. **HCS HB 1211 \$ 1341** (Scharnhorst) has been reported to the Senate. For details, see LWV Leg. Bul. #3. League’s follow-up on coverage of autism under MO HealthNet—which is not included in the above bills—shows that MO HealthNet is authorized by a specific waiver to cover treatment needs of autistic children in collaboration with the Dept. of Mental Health.

First time noted in this bulletin is **SB 918** (Schaeffer) which establishes provisions regarding pharmacy benefit managers. Of particular interest for this mental health portfolio is the section regarding a prescribing physician’s authority, based on sound clinical evidence, to override medication restrictions set by health carriers and pharmacies—so called step therapy protocols which are not always in the consumer’s best interest. SB 918 was referred to the Senate Commerce, Consumer Protection, Energy and Environment Committee on Feb. 11. League will be following this bill.

Remember, it’s not too late to check in with Rep. Icet, Chair of the House Budget committee, to request protection in the State budget of those vital services in mental health, including prevention of risk to children. Budget cutting below the safety net would not be acceptable. [Allen.Icet@house.mo.gov](mailto:Allen.Icet@house.mo.gov).

## **SCARY CONSTITUTIONAL CHANGE – Elaine Blodgett**

Rep. Tom Loehner has introduced **HJR 86** which would change the Missouri Constitution and could have unintended and far-reaching consequences regarding local control and even our current state (Confined Animal Feeding Operations) CAFO standards. This bill could come to the floor when Session resumes after spring break (Mar. 15) so a call while reps are home would be good. Contact Rep. Tilley (Majority Floor Leader, makes decisions about what comes to the floor) 573-751-1488, Speaker Richard 573-751-2173, Rep. Loehner (573-751-1344), and any other representative you have a relationship with.

### Talking Points:

- HJR 86 could stop the state from regulating CAFOs. HJR 86 includes language stating that “it shall be the right of citizens to raise domesticated animals in a humane manner without the state imposing an undue economic burden on animal owners.”
- HJR 86 could stop counties from passing health ordinances to protect their citizens from the negative impacts of industrial livestock operation. It includes language that “no law criminalizing or otherwise regulating crops or the welfare of any domesticated animals shall be valid unless based upon generally accepted scientific principles and enacted by the general assembly.”
- HJR 86 is not simply a new law, but proposes an amendment to the Constitution. This means that any unintended consequences of this language would be cemented into the state constitution and would over-ride any current statute or future action of the state legislature.
- Rep. Loehner should change the language of HJR 86 to clarify the purpose of the bill. The current language is too broad and creates the possibility of too many far-reaching consequences for independent family farmers, local control and the ability of elected representatives to respond to the citizens of the state.