



## LEGISLATIVE BULLETIN

Published semi-monthly during the Missouri Legislative Session by the

### LEAGUE OF WOMEN VOTERS OF MISSOURI

8706 Manchester Rd. Suite 104 St. Louis, MO 63144-2733

314-961-6869 (fax 314-961-8393)

Email: [league@lwvmissouri.org](mailto:league@lwvmissouri.org)

Web: [www.lwvmissouri.org](http://www.lwvmissouri.org)

Volume XXXX, Issue 6

April 9, 2010

### VOTING PROGRESS . . . and not

**SB 845** (Barnitz) has passed the Senate and been sent to the House. This legislation would make it easier for soldiers, sailors, airmen, and Marines, as well as others who work overseas, to submit absentee voting applications while they are serving abroad. Currently the time that it takes to apply for the ballot and return it causes the ballot to be only provisional. **SB 845** requires the Secretary of State to establish procedures for overseas voters to request and send voter registration applications and absentee ballot applications electronically, resulting in a faster turn around. The bill also contains provisions to ensure enough absentee ballots are ready and available for overseas military voters and has other provisions to ensure safety and tracking of ballots.

**SB 651** (Days) creates an advance voting system and is not moving. LWVMO supports.

### TAXES

**HB 2034** (Oxford) which would make Missouri's personal income tax more progressive has had a committee hearing but not been voted out to the floor. It would lower the taxes of 60% of Missouri's lowest income earners and raise the taxes of the top 20%. LWVMO supports.

**SB 905** (Bray) is on the Senate Perfection calendar with substitutes pending. It is the Streamlined Sales and Use Tax and would bring Missouri's tax policies and practices into line with those from other states, thus allowing better collection sales and use taxes from online customers. This bill is a real hope to help Missouri's budget woes in future years. LWVMO supports. **HB 2302** (Sutherland) is the companion House bill.

**HJR 56** (Emery), the Mega Sales Tax bill, has completed a hearing in the House committee and not been voted out to the floor. This is the bill referred to as the "FairTax" which is a proposed constitutional amendment that replaces the state's personal and corporate income tax with sales tax on all items and services (with a few exceptions in the substitute bill). LWV is adamantly opposed to this bill and working with a number of groups to keep it off the ballot. LWVMO opposes.

## **ENERGY – Win Colwill**

**HCS HB 1871** is the omnibus energy bill which is now on the House Perfection Calendar. The House Committee bill includes numerous subjects, including two LWVMO-SUPPORTED bills: Green State Buildings and Property Assessments Clean Energy Act (PACE). PACE allows cities to establish a fund for residential and commercial energy improvements which property owners could utilize; the cost would be repaid over 20 years through an assessment on the property. Approximately 17 states have adopted PACE legislation.

**SB 848** (Barnitz) Allows animal waste to be included in list of renewable energy sources that utilities may use to meet requirements of Missouri's Renewable Energy Standard.

The bill passed the House and was 2nd read in the Senate on 4/6. LWVMO – Of Interest

## **DEATH PENALTY – Sydell Shayer**

**HB 1683** (Deeken) is the moratorium on the death penalty with a concurrent study of all aspects of the death penalty. No hearing has been scheduled and it is not on the calendar. League would support this bill if it were to start moving.

## **TABOR – Sydell Shayer**

**HCS HJR 87** – This bill, identified as TABOR (Taxpayers Bill of Rights) is a proposed constitutional amendment prohibiting appropriations in a fiscal year from exceeding certain limits. The Hancock Amendment which was enacted many years ago puts limits on revenue. This constitutional amendment would put limits on expenditures. The League, unfortunately, was not able to keep the Hancock amendment from being enacted, despite a noble effort. We will try again (and are joined by many other groups) to prevent TABOR from passing.

This amendment would further limit the ability of our state to support the many programs and services that the League supports. Any laws that prevent the state from allocating money to keep the government running works against the economic well being of that state. Colorado passed a similar bill several years ago. It took only a few years for the citizens of that state to realize the economic disaster that it caused and they repealed TABOR.

**HJR 87** went through several House committees, each voting it out DO PASS. It had a hearing in the Senate Ways and Means Committee on Wednesday April 7, 2010. There is no hearing scheduled and it is not on the calendar. It never hurts to let your senator know that you are opposed to this bill.

## **TAX CREDIT PROPOSALS**

The Governor's plan to reform tax credits was amended to an omnibus economic development bill, **SB 895** (Dempsey). Several amendments by Senator Shields and Senator Crowell were offered. Senator Crowell has been a strong advocate throughout the session to make tax credits subject to the appropriations process, and his amendment would require this. This is a controversial provision, and it was evident that there was not consensus among the Senators; the bill was laid aside and likely not be taken up until after the Senate finishes its work on the budget. The Governor's plan will establish a global cap on tax credits, eliminate current statutory language, and combine tax credits into 6 broad categories. The Department of Economic development would have broad responsibility to authorize tax credits.

The Missouri Budget Project (a group LWVMO works closely with on budget issues) has concerns about including the category of what will be called "community assistance" in the plan. These contribution based tax credits are primarily used by not for profit organizations, and focus on social programs rather than economic development. The MBP urges that these be exempt from the global cap (as are the Senior Circuit Breaker and Homestead Preservation tax credits). The total amount of Community Assistance tax credits is small, and these are not a driving force in creating a budget deficit.

The reason that these proposals are getting more attention this year is the severe budget crisis of the state. Nearly \$600 million a year out of the Missouri budget is automatically diverted to tax credits. Putting this into the appropriations process would go a long way toward solving budget issues. This reform is to change tax credits from an entitlement status to a discretionary status. Reform will require people who receive tax credits to have contracts which show the effectiveness of the credits as well as annual accountability reports (what a welcome change that would be).

## **THE BUDGET – SUPPLEMENTAL**

The Supplemental Budget is a yearly responsibility of the legislature, to modify the current budget year we are in (2010, from July 1, 2009-June 30, 2010) to bring expenditures in line with revenue coming in. Of course, this year has been particularly difficult, due to the decline in revenue, even more than had been estimated (which is always hard to do 18 months out).

The Senate refused to go to conference on **HB 2014** (Icet), the supplemental budget bill for FY 2010, since there were no "differences" to exceed on the school formula language, which is the same in both the House and Senate positions. The House defeated a motion to ask the Senate a second time for a conference on the bill and then defeated the motion to adopt the Senate version of the bill by a vote of 72-79. This defeat leaves the fate of the supplemental budget for the current year in doubt. Many options are being considered, including asking the Governor to submit another supplemental budget request.

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

Many bills in this area languish without committee assignment, stalled by the political process and budget debate. Nationally, the most noteworthy development is that Health Care Reform is now federal law, and the League celebrates this historic victory. The Patient Protection and Affordable Care Act has been signed by the President. A subsequent reconciliation bill has also been signed.

The impact of this law is unclear. Many of the benefits will not become effective until 2014, with the exception of children's health care which may become effective in September, 2010. Hopefully, that's good news for mental health, especially children's mental health including the autism spectrum disorders. However, there is litigation pending on the law's constitutionality. Repeal is unlikely, but possible, and LWVUS will be closely monitoring.

LWVMO continues to monitor: **SB 618** (Rupp) which requires health carriers to provide coverage for the diagnosis and treatment of autism has had a hearing in the Special Standing Committee on Health Insurance. **HB 1311 7 1341** (Scharnhorst), the House companion bill, is in the Senate Small Business Insurance & Industry Committee. **SB 918** (Schaefer) establishing provisions relating to pharmacy benefit managers on switching prescriptions and physician override was voted out of committee April 7. This protection of the physician/patient relationship is supportable.

**SB 639** (Schmitt) authorizes a state false claims act for MO HealthNet (Medicaid). A hearing was conducted in the Senate Judiciary, Civil and Criminal Jurisprudence Committee where medical opposition appears to be strong. State intervention on fraud is supportable, but League takes no position at this time on the bill itself. **HB 2123** (Cooper) authorizes the MO HealthNet Division to implement a statewide dental delivery system. Time is short and the budget debate dominates, making the outlook here doubtful, but advocacy might help.

The budget debate has been intense and the cuts painful, including the latest 10% in mental health, but it is not too late to advocate on behalf of these important issues. Thanks to all who have made that call, sent that letter, attended a hearing, or stopped by your legislator's office.