



## LEGISLATIVE BULLETIN

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### LEAGUE OF WOMEN VOTERS OF MISSOURI

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### MISSOURI NON-PARTISAN COURT PLAN

The effort by “Show Me Better Courts” to eliminate the Missouri Non-Partisan Court Plan by initiative petition is progressing. It would dismantle the present system of merit selection of judges and return to the older method of electing judges. They were one of 4 groups presenting petitions with signatures to the Secretary of State’s office on May 4. It is now up to the election officials to check signatures to see if the issue qualifies for the ballot which could be in August or November.

League opposes this change in our present judicial selection process (see last week’s bulletin) and will be watching the issue closely. Informing the electorate will be a crucial job for League, one we will be working with several other groups to do if it is certified for the ballot.

### ENERGY/GLOBAL CHANGE – Win Colwill

The Omnibus Energy Bill, HB 1871, was passed by the Senate commerce Committee and could come to the Senate floor in the next few days. *Calls to your state senator are vital to ensure passage of two important energy-saving programs:*

**Property Assessed Clean Energy (PACE)** will enable cities to facilitate long-term loans to home and business owners to cover the upfront costs of energy upgrades and renewable energy systems. PACE will allow cities to establish a fund for energy improvements and set up local Clean Energy Development Boards that can provide loans to residents for approved energy projects. Property owners then repay the loans over 20 years through an assessment on their property taxes; the loan obligation transfers to new owners if the property is sold. Seventeen states have already adopted PACE.

**Green State Buildings: HB 1871** requires the state to achieve nationally accredited LEED Silver-level standards or Green Globes standards in newly-constructed state-funded buildings larger than 5000 sq. f. and future major renovations. Adoption of green standards can markedly reduce state building energy costs and greenhouse gas emissions, benefiting all Missourians.]

## ENERGY/GLOBAL CHANGE --- CONTINUED

**ACTION NEEDED:** Call your state senator today and urge him/her to support **HB 1871** when it comes up for a vote. Emphasize that the PACE Act will help Missourians cut their energy bills by enabling cities to finance the upfront costs of home and business energy efficiency projects. By implementing PACE and greening Missouri's state buildings, **HB 1871** can lower energy costs and create new clean energy jobs in communities statewide.

### LATE ACTIONS – Ethics, Elections

**SB 851** (Schmitt) requires at least four days notice before public meetings where local governing bodies may vote on tax increases, eminent domain, and certain districts and projects passed and sent to the Governor.

**HB 1966 AND HJR 64**, companion bills that would enable legislation for a very restrictive advanced voting and require state-issued photo ID for voting, were passed out of the Senate committee this week and eligible for debate on the Senate floor. LWVMO testified against these bills at the committee hearing on May 4. **Contact your Senator to not support this bill ASAP.**

**HCS HB 844**, started out as an Ethics bill, passed unanimously with bi-partisan support in the special committee after lots of work. After being sent to the floor it was returned to the Rules Committee and political maneuvering interfered. The bill has been drastically altered, rushed through a different committee, brought onto the floor without prior notice, loaded with lots of “stuff” and passed by a strictly party line vote without any real debate. Some provisions include:

- No member of the General Assembly shall serve as a lobbyist for two years after the conclusion of their last term in the General Assembly.
- Any elected official who is found guilty of pleads guilty to a felony will immediately forfeit all benefits from the state.
- For every appointment made by the Governor, Speaker and President Pro Tem of the Senate, information shall be publicly disclosed of the appointee and the amount of any contribution they have made to any campaign or candidate committee for a period of four years prior to the date of the appointment (includes spouse and business).
- No elected official shall accept a gift from a lobbyist in excess of \$2,500 per year.
- The Governor shall not make any offer or promise of an appointment to any position in exchange of a legislator's vote.
- The limit on campaign contributions is raised to \$20,000 per year (but legislators are conspicuously absent from mention!).
- Committee to committee transfers with the purpose of concealing the donation's origin will have legal penalties.
- No statewide office holder shall accept any donation from any person whom the office holders appoint to a position with the advice and consent of the Senate.

- A Joint Committee on Ballot Statements will prepare ballot summaries, removing the job from the Secretary of State.
- Special elections must be called for any vacancy in a statewide office rather than appointment by the Governor.
- All state elected officials, members of the General Assembly, leadership staff and executive branch department heads are to be drug tested (which has been declared unconstitutional in other states).
- Requires each election authority to create one advance voting center in each senatorial district and allows for early voting (very limited and not supported by county clerks).
- Requires state-issued photo ID to vote.
- Requires the Department of Revenue to use only county collectors, treasurers, or city collectors as fee office agents.
- Allows the Governor, Lt. Governor, Speaker of the House, Speaker Pro Tem of the House and President Pro Tem of the Senate to file a lawsuit defending the constitutional rights of Missouri residents and to bring the suit in the name of the State of Missouri (allowing state funds to be used by Lt. Gov. Kinder to sue the U.S. government to keep Missouri from provisions of the new health care law).
- Provisions regarding organizing for unions and disallowing union dues for political activity.

### **FROM CIVIC ENGAGEMENT TABLE – additional info, talking points**

The Senate Finance, Governmental Organizations, and Elections passed out 2 substitute bills regarding early voting and photo ID (HB 1966 and HJR 64). These may move to the floor on Monday. The early voting is 4 days of no excuse absentee and under HJR will be in the Constitution. This is a very weak early voting plan and will very difficult to change. County clerks oppose this scheme. Under the substitution, clerks will bear the cost of advance notice to voters. We know that too many senators are very supportive of photo ID, so we probably cannot lobby successfully on that issue. The constitutional issue is more likely to resonate with some. The clerks' association is urging their members to call their Senators and Representatives asking them to vote no.

Please encourage your members to call their county clerks and remind them to call their legislators asking them to vote no on these bills. Any of you whose organizations work on voter protection issues should call your senators Monday and point out the unintended consequences of putting an early voting plan into the Constitution.

Here are a few talking points AGAINST the advanced voting provisions:

- Only allows for advanced voting Sat-Wed before elections
- Only allows for AV during working hours (9-5) and 4 hours on Sat, not helping working people who need early voting options

- Burden on county clerks, implements regular absentee voting (excuse required) until Sat. before election, then no-excuse early voting for 4 days, then return to excuse only absentee voting between Wed. and the day before election day
- Election authority representatives testified that this would be confusing and burdensome
- Only allows advance voting at ONE location per Senate district, in most places one location per county

This would be one of the most restrictive and confusing proposals for advance voting in the country.

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

The 95<sup>th</sup> legislative session is moving toward closure with one week to go and many bills sitting in committee or not even assigned to committee. Declining state revenues, severe budget cuts, and political maneuvering dominate the process. **HB 2010** (Icet), the mental health appropriations bill, reflects an 11% cut in services across the board, putting needy populations at risk and awaits the Governor's signature.

Insurance coverage for the autism bills remains hopeful. **SB 618** (Rupp), requiring health insurance coverage for the autistic child under 21, was passed out of the House Rules Committee on May 4. . **SCS HCS HB 1311 & 1341** (Scharnhorst) was voted out of committee and is ready for action on the House floor. This bill covers health insurance for the autistic child under age 18.

**HB 1398** (Roorda), noted in previous bulletins, prohibits denial of mental health services for children suspected of being victims of child abuse and neglect. No action has taken place. Federal law may eventually assist this population. **HB 2270** (Cooper) may also assist. This is a consent bill that improves forensic medical services for children suspected of being victims of child abuse. The unanimous vote in both House and Senate was welcomed. **HB 2270** is Truly Agreed To and Finally Passed, awaiting action by the Governor.

**HB 2123** (Cooper) authorizes MO HealthNet to implement a statewide dental delivery system. There has been no action since a mid-April committee hearing. Other legislation impacting mental health services includes **SB 918** (Schaefer) regarding pharmacy benefits, switching prescriptions, and authority of the physician (passed committee) and **SB 639** (Schmitt) which authorizes individuals to sue for MO HealthNet fraud under a state false claims act (on Senate Informal Calendar), see previous bulletins.

This legislative session has highlighted mental health needs and the risk to certain populations from severe budget cuts. The population just above Medicaid eligibility will be most at risk. Emerging in the public and legislative debate is the need for renewed attention to state revenue resources. This is a hopeful sign. Attention will also be needed on the impact of the new federal law, the Patient Protection and Affordable Health Care Act, on state government.

## **DEATH PENALTY – Sydell Shayer**

This legislative session has been a big disappointment as far as the death penalty is concerned. None of the proposed moratorium bills with a concurrent study saw the light of day. In the previous legislature, one such bill made it all the way to the Senate floor, the furthest a death penalty bill had ever gone.

Just recently the American Bar Association decided to review how the death penalty is administered in Missouri. A special committee will analyze a dozen aspects of Missouri's death penalty process including the handling of DNA evidence, police interrogation procedures, prosecutor and defense services, among others. It is similar to the studies in the various bills that have been proposed. Hopefully the study will be completed by the time the next legislative session comes around.