



## LEGISLATIVE BULLETIN

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### LEAGUE OF WOMEN VOTERS OF MISSOURI

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### PHOTO ID UPDATE

**SJR 2** (Stouffer) has been perfected in the Senate (needs one more vote). It is a constitutional amendment that would allow the General Assembly to provide voter photo identification requirements for elections by general law. **SB 3** (companion to **SJR 2**) was passed by the Senate and sent to the House this past week. It received several amendments. The bill going to the House would establish photo identification requirements for voting. Documentation required by citizens to present before voting would include: a nonexpired Missouri driver's license; a nonexpired or nonexpiring Missouri driver's license; any identification containing a photograph issued by the Missouri National Guard, the U.S. Armed forces, or the U.S. Department of Veterans Affairs; or a document issued by the U. S. or Missouri containing the name of the voter (must conform to the most recent signature in the individual's registration records), a photograph, and an expiration date or if expired, the expiration date must be after the most recent general election.

The measure would allow citizens to vote using a provisional ballot who are unable to obtain a photo ID because of a physical or mental disability, an inability to pay for a document necessary to obtain the required identification, a religious belief against certain forms of ID, or the voter was born before Jan. 1, 1941. The election authority would have to verify the identity of the individual by comparing the person's signature to the signature on file. [In many instances provisional ballots are never counted and provisional ballots are not called for in every election.] Adopted amendments include: Jolie Justus, would provide a provisional ballot for those individuals who are unable to pay for or obtain a birth certificate or other supporting documentation that is necessary to obtain identification required to vote; Robin Wright-Jones, would clarify information needed to obtain a certain amount of voter registration applications through the Missouri Secretary of State and strengthen the penalties for anyone who knowingly signs any name other than their own to any voter registration application.

Required Photo ID to vote legislation also passed out of the House Elections Committee this past week, headed to the House floor. Peg Prendergast (LWVMO Board Member from Kansas City) ably testified in opposition at the hearing. She was also involved in a meeting in the Governor's office, along with other opponents of mandatory photo ID requirements for voting.

These bills are now on a fast track for passage. If the House passes the legislation and the two houses resolve the differences in their legislation (highly likely), the issue will go to a vote of the people in November, 2012. There is NOT an option for the Governor to veto a proposed constitutional amendment. In spite of the fact that numerous groups of voter advocates around the state testified against these bills and not one person testified or gave an example of voter impersonation fraud ever happening in Missouri, the possible disenfranchising of thousands of Missouri voters will probably be voted on as a constitutional amendment unless there is a snafu along the way. Stay tuned . . .

## **TAXES** – Sydell Shayer

**HB 52** (Ellinger), the so-called “Streamlined Sales Tax” bill, would require the state to implement and enforce a mechanism to collect the sales tax due from purchases made by residents and businesses in Missouri, whether bought locally or through the internet. It would help Missouri businesses, large and small, who are at an unfair disadvantage to out-of-state retailers. It is estimated that Missouri would lose \$210 million in state and local sales tax revenue in 2010 if the bill is not enacted.

LWVMO sent written testimony to each member of the House Tax Reform Committee when it held a hearing on HB 52 February 15. League supports HB 52. The hearing was completed and the bill awaits further action.

**HJR 8** (Koenig) is a proposed constitutional amendment dubbed the “mega tax.” It would eliminate the state individual and corporate income tax, corporation franchise and bank franchise taxes, and present state sales and use tax, replacing these with a retail sales tax on new tangible personal property and services. The change would be phased in gradually. Starting January 1, 2015, the sales tax would be 4% and increased annually for four years. The sales tax would be capped at 7%. The income tax would decrease 25% over a five-year period. All present sales tax exemptions would be eliminated except property purchased to be a component part or ingredient of a new tangible personal property to be sold at retail, federal government purchases, business-to-business transactions including agriculture, purchase for investment, tuition and fees for education, motor fuel when subject to an excise tax, certain insurance premiums or fees and purchase of used tangible personal property. Senior citizens would be allowed to keep their property tax credits. There is a provision for a tax rebate for qualified individuals.

Based on several studies by qualified individuals and organizations, the maximum allowable sales tax of 7% is inadequate to maintain a revenue neutral income. It is estimated that the state sales tax would have to be somewhere between 11 and 12.25% to maintain state revenue. If the local sales tax were included, it could reach 15%. The allowable sales tax rate would not provide for present services and severe cuts would need to be made in the state budget.

**HJR 8** which would require a statewide vote has not had a second hearing scheduled and is not on the current calendar. LWV believes that the income tax should be a significant portion of the state tax mix and that tax law should be in the statutes and not the constitution. Thus LWVMO OPPOSES HJR 8. Watch for any action alerts when the time is appropriate. (NOTE: there are nine different initiative petitions filed in the Secretary of State’s office by Rex Sinquefield which

may be circulated (if certified by the SOS) for signatures if **HJR 8** does not pass this session. All would cap the state sales tax at 7% (which does not include local sales tax).

**SJR 1** (Ridgeway) is another mega tax bill that eliminates income taxes and replaces with a much expanded sales tax. It has some similarities to **HJR 8**. This bill has a provision which bans local earnings taxes, even if supported by the voters. See the Feb. 4, 2011, Legislative Bulletin for full explanation. LWVMO OPPOSES.

**HB 152** (Kelly) is an attempt to come up with a less draconian tax bill than **SJR 1** and **HJR 8**, but it is still a reduction in the income tax and an increase in the sales tax, although only for four years. It is statutory rather than a constitutional change. See details in the last Legislative Bulletin. **HB 152** has been referred to the House Tax Reform Committee, LWVMO OPPOSES.

**HB 181** (Nasheed), **HB 343** (Still), **HB 342** (Still) are three bills which would raise taxes on cigarettes. League would support any of these bills should they move forward.

**SB 26** (Jones, Tishaura) changes voter authorization on city earnings taxes from every 5 years to every 20 years (see last bulletin). A hearing was held in the Transportation Committee. LWVMO SUPPORTS.

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

This portfolio of health and mental health has a broad reach. Aside from the federal health reform law and the matter of repeal, which is unresolved at this time, there are a number of state legislative bills of interest to LWV—including residential transitions by the Department of Mental Health (DMH), qualifications for receiving TANF (Temporary Assistance for Needy Families), utilization of health insurance premiums, and strengthening services for autistic children.

**SB 56** (Rupp) requires the DMH to develop a plan for transitioning services of state facilities for developmentally disabled residents to integrated settings in the community. Eventually, state facilities would be closed. This is a significant population. Many are profoundly disabled, and families are fearful of such a controversial plan. **SB 56** has been assigned to the Health, Mental Health, Seniors, and Families Committee. LWV is not supportive at this time.

**SCS SBs 7, 5, 54, & 169** (Goodman) creates the “TANF Child Protection and Drug Free Home Act,” which requires drug testing for work-eligible TANF applicants and recipients. Mental health treatment would be required for failure to pass testing. This is a controversial bill; supporters say it has measures to help prevent risk to children, to help secure family finances, to promote appropriate treatment, and to oversight use of public monies. **SCS SBs 7, 5, 74, & 169** is on the Senate Informal Calendar for Perfection as of Feb. 17. The companion bill is **HB 73 & 47**, currently passed in the House and sent to the Senate.

**SB 44** (Wright-Jones) requires health insurance carriers in Missouri to expend 85% to 90% of health insurance premiums for the payment of health care services. The Department of Insurance would oversee Missouri’s so-called “care share” under this bill. **SB 44** is in the Senate

Small Business, Insurance and Industry Committee. The intent of the bill appears to be favorable for health care recipients, but it is not advancing.

**HB 40** (Lampe) changes and strengthens the laws regarding the identification, assessment, and education of children with autism spectrum disorders. Attention to the needs of these children continues to increase and to be recognized. This bill expands their services, particularly in the area of education. It has been assigned to the Elementary and Secondary Education Committee. LWV supports.

**ENERGY** - The following is from Sen. Robin Wright-Jones's Senate Report

**Senate Bill 22** would require newly constructed state buildings after Aug. 28, 2011, that are more than 5,000 square feet to meet certain green building standards, including the 2 Globes level under the Green Globes building rating system or the Silver level under the Leadership in Energy and Environment Design (LEED) building rating system. The Missouri Office of Administration (OA) may waive the points requirements for economic feasibility reasons.

In addition, OA may petition the General Assembly to require all state-funded building construction and renovation projects meet a different or additional high-performance building standard, provided that such standards are at least as stringent as the Green Globes and LEED standards. If the bill passes, OA would be required to monitor and evaluate the energy and environmental benefits associated with each building subject to the act's requirements for 15 years.

State-funded buildings should lead as industry examples of good stewards of our environment. Industry leaders have learned valuable ways in which we can construct greener buildings that will use more recycled materials and create a smaller environmental impact — from the point when construction begins all the way to when a building is demolished. It's my hope that Missouri can adopt these standards and set a positive example for other states to follow—Sen. Robin Wright-Jones.