

# LWV LEAGUE OF WOMEN VOTERS<sup>®</sup> OF MISSOURI

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## LWV Legislative Bulletin March 9, 2020

*LWV members are encouraged to personally communicate, as individual voters (not as LWV members), with their legislators on the various legislative bills. Previous issues of the Legislative Bulletin can be found at this link: <https://lwvmissouri.org/legislative-bulletin/>*

You can find your legislator(s) at this link. Although it says “Senate”, it will give you all your state and national elected officials: [Find your legislator](#).

### **Budget and Tax Issues (Tax Cuts and Circuit Breaker Cuts debated in Senate)**

Information provided by the Missouri Budget Project

### **Update on State General Revenue**

State general revenue (GR) at the end of February came in at 7.2% higher year to date compared to last year. However, that growth rate is misleading because it’s relative to a time of very weak collections. At this same point in the previous fiscal year (FY 2019), GR had declined by 5% compared to the prior year.

To get a better sense of where MO stands, it’s important to compare current state revenue with two years prior (or FY 2018). Using that benchmark, state GR at the end of February was just 1.83% higher than it was in FY 2018 (or about \$109 million in growth over a two year period) In fact, when reviewed over just two years, MO collections didn’t even keep pace with inflation. That is, our state didn’t collect enough to pay for services at the same level they were two years ago, not accounting for an aging population that may need additional health, nutrition or caregiver services, or a larger number of kids in school.

Comparing Missouri to other states is even more glaring. Average revenue growth across the country was much higher than in Missouri in FY 2019, so those states were able to increase teacher pay, invest in workforce development, and save for a rainy day.

### **Tax Cuts and Wayfair**

Missouri’s revenue situation indicates a need to be cautious in tax debates, particularly because large tax reductions that lawmakers approved in previous years have still not yet been fully implemented. But, some state senators are considering substitutes for Senate Bill 529 that would **cut state general revenue by an additional \$150 million per year, by again reducing the top rate of income tax.** SB 529 was originally intended to implement the Wayfair Fix, allowing the state and localities to capture sales tax for online retail purchases and level the playing field between Missouri’s bricks and mortar retailers and their online competitors. The original bill proposed that the state proceeds from the Wayfair Fix would flow into a designated fund to be used for emergency purposes (The

Governor's Wayfair proposal). However, the substitute versions that are being considered would negate any benefit of the Wayfair proposal by reducing state general revenue and restricting local sales tax rates as well. The substitutes are still being crafted and have not yet come to the floor for debate. In addition to SB 529, the substitutes could be offered on a number of bills, so the bill numbers related to this issue may change.

### **Medicaid Work Reporting Requirements Hearing**

A hearing on Senate Joint Resolution 60 was held in the Senate Health and Pensions Committee on 3/4/20. Like several other bills (including SJR 32), the bill proposes an amendment to the State Constitution to require some parents and other non-elderly adults to meet work reporting requirements to be eligible for Medicaid.

Now is the time to reach out to all state Senators and ask them to oppose SJR 60, SJR 32 and other proposals that would implement work reporting requirements, which have proven to be unconstitutional, huge state budget busters, and result in significant losses of health care coverage (even among those who are supposed to be exempt from the requirements).

**Evidence from other states shows that the work reporting requirements contained in SJR 60, SJR 32, HJR 106 are unconstitutional:**

**Work reporting requirements lead to significant coverage losses for, including for those who are working and people with disabilities who are supposed to qualify for exemptions:**

- After just one month of implementation, [80,000 people](#) – or 1/3 of those subject to the policy – have so far failed to meet the requirement and are at risk of losing coverage. Those losing coverage include working people and people with disabilities who are supposed to qualify for exemptions, but have been stymied by paperwork and red tape
- In Arkansas, the first state to implement a requirement, nearly a quarter of those subject to the requirement lost coverage in the first seven months. In New Hampshire, about 40 percent of those subject to the requirement were set to lose their coverage before state policymakers acted on a bipartisan basis to pause the policy. In addition, due to the loss of coverage and the burden to the states of implementing these requirements, six states – Arizona, Indiana, Kentucky, Maine, New Hampshire, and Virginia – have already reversed or suspended their plans to take Medicaid coverage away from people who don't meet work requirements

### **SENATE ADVANCES ATTACKS ON CLEAN MISSOURI REFORMS**

The Senate passed SS#3/SJR 38 (Hegeman) on February 10. SJR 38 is similar to HJR 76 and HJR 101 and would undermine the redistricting reforms of Amendment 1, also known as CLEAN Missouri. The SS#3 still removes the nonpartisan demographer created under Amendment 1 and opens the possibility for the population count to be skewed to exclude non-citizen or non-voting-age residents from the data used for drawing districts. The SJR also makes it harder to file suit against a faulty map and limits the remedies available to a judge in such a case.

**ACTION ALERT: The League opposes SJR 38 and a similar House resolution (HJR115).**

**Contact your state representative to vote “no” on SJR38. On March 5, this bill was referred to the House General Laws Committee.**

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The legislature-referred initiative is likely to be on the August ballot. This “incumbent protection plan” does 3 things:

- Rigs the rules (All rules requiring fair maps will be gone, rules protecting communities of color will be removed, non-citizens and kids will not be counted for representation). Now 23-24% of MO population are children.
- Rigs the court rules (Remove those who have standing to sue unfair districts, judges cannot throw out an entire plan/map, can only deal with a single line or issue, want a rule that no individual can be sued for their actions)
- Rigs the process (no demographer, larger commission, give the parties more power). If this process does not produce a map, then it will go to the courts. Neither party has liked the court decisions in the past.

While just one in five white Missourians are under 18, a third of Latinos in Missouri and a fourth of African Americans wouldn't be counted when drawing legislative district maps.

## **VOTER ID**

HB1600 Sponsored by John Simmons (R) 109, no co-sponsor.

"In essence, by eliminating non-photo IDs, this measure would attempt to reinstate a strict voter ID requirement (similar to one that was found unconstitutional in *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006)). It would require voters to show a non-expired state issued photo ID to vote or cast a provisional ballot, that would only be counted if the voter returned with photo ID or if the voter's signature on the provisional ballot envelope matches the signature on their voter registration."

The bottom line on HB 1600 - if you want to vote, you can only do so with a non-expired government-issued photo identification. **It's a strict photo voter ID bill, even stricter than the law the highest court in our state just invalidated.** The Constitutional change is more dangerous and moving to the Rules Committee.

This bill was voted “Do Pass” by the House Rules – Legislative Oversight Committee on February 11 and was third read and passed by the House on March 2.

**ACTION ALERT: Members should contact their state senator to oppose this bill.**

## **INITIATIVE PETITION PROCESS**

**These bills make it harder for citizens to bring forward and enact relevant policies via initiative petition. The LWV would be opposed to these bills.**

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**ACTION ALERT: CONTACT YOUR STATE REPRESENTATIVE TO OPPOSE THESE BILLS.** These bills were passed by the House Rules-Legislative Oversight Committee on March 5.

### **HJR102** (Simmons)

Upon voter approval, this Constitutional amendment modifies provisions for initiative petitions for Constitutional amendments by requiring that the petitions be signed by 8% of the registered voters in each of two-thirds of the state House of Representatives Districts, and changing the required vote for passage of the measure from a majority to two-thirds of the votes cast.

**HJR 60** (Billington) to require signature collection for initiative petitions to meet signature thresholds in all eight Congressional Districts of the state, rather than the current requirement of at least six of eight Congressional Districts. This requirement would make an already difficult task much harder to complete.

**HCS/HJR 97** (Eggleston) to require the sponsor of any initiative petition proposing Constitutional amendments to collect signatures in every Congressional district and then to submit any approved petition to the General Assembly for consideration in a manner similar to a bill. The legislature would be allowed to interfere with the process by passing, amending or blocking the petition. Only a petition approved by the legislature could be approved by a simple majority. Any version not approved by the legislature would have to be approved by a two-thirds supermajority.

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### **On the Senate Side**

SJR 31(Seder)

This bill is on the Formal Calendar for perfection, March 9, 2020.

### **ACTION ALERT – CONTACT YOUR STATE SENATOR TO OPPOSE THIS BILL.**

Under current law, initiative petitions proposing constitutional amendments shall be signed by 8% of the legal voters in each of two-thirds of the Congressional districts. This constitutional amendment, if approved by the voters, requires such petitions to be signed by 15% of the legal voters in each of the Congressional districts.

Furthermore, current law provides that initiative petitions proposing constitutional amendments shall take effect when approved by a simple majority of the votes cast thereon prior to taking effect. This amendment requires such initiatives to be approved **by at least two-thirds of the votes cast** thereon prior to taking effect, with the exception that an amendment proposing solely to repeal any amendment adopted through the initiative process prior to December 3, 2020, shall be approved after receiving a simple majority.

### **CHARTER SCHOOL EXPANSION**

Two charter school expansion bills have been approved by Senate committees and could be taken up soon for Senate debate, perhaps as early as this week. The Senate Government Reform Committee approved SCS/SB 603 (O'Laughlin) on February 3 and the Senate General Laws Committee approved SB 649 (Eigel) on January 28. **SB649 is on the Informal Calendar S Bills for Perfection, March 9.**

The bills have roughly similar provisions regarding expansion of charter schools. Both bills would allow charter schools to be sponsored by outside entities (other than the local school board) and operate in districts around the state.

Charter schools should be subject to the same standards of accountability, transparency and respect for the rights of students, parents and staff as are applicable to traditional public schools. The League supports criteria for governance and operations similar to those of traditional public schools.

***SB 603 and SB 649 do not enact these reforms. Contact your state senator to oppose these bills.***

## **AND THE POSITIVE LEGISLATION:**

### **NO EXCUSE ABSENTEE VOTING**

HB1761 (McGaugh)

This is a no excuse absentee ballot bill, carried by a Republican legislator who previously served as a county clerk. The county clerks' association has endorsed the legislation. Here's the language that is being proposed to add to current law:

*Any registered voter may vote by in-person absentee ballot, at the location designated by the election authority, for all candidates and issues for which such voter would be eligible to vote at the polling place without providing a reason for the need to vote absentee.*

This bill was given a "do Pass" by the House Elections and Elected Officials on March 4.

**The LWV would be in favor of this bill as it would make it easier for citizens to be able to vote if they are unable to vote on Election Day.**

**ACTION ALERT: Contact your state representative to support HB1761.**

### **EARLY VOTING**

Senator Karla May has introduced Senate Bill No. 681 – An Act that Modifies Provisions Relating to Voting in Elections. This act authorizes a person to vote early, for any reason, from the sixth Tuesday before the election until 7:00 pm on the Monday immediately before the election with hours for voting as provided in the act. The local election authority shall establish early voting locations as provided in the act.

This act has had a second read and been referred to the Local Government and Elections Committee.

### **GUNS IN SCHOOLS**

House Bill 1961, "Keep Our Schools Safe Act" (Nick Schroer) passed out of the Elementary and Secondary Education Committee on Feb 27. The original bill would have required each district to have an armed School Protection Officer in each school building. The armed School Protection Officer had to be an administrator, a teacher, or a volunteer. The SPO had to be present during all hours that school was in session. There were penalties suggested for a school administration that failed to maintain this standard. Any employee or administrator responsible for staffing buildings with school protection officers who fails to ensure that every school building has at least one school protection officer present during normal school hours while students are present may be subject to employment termination proceedings.

Fortunately, cooler heads prevailed. Representative Shamed Dogan (Rep, Ballwin) got an amendment approved that made it optional for a district to have an armed person in each building. Penalties were also toned down. There is no funding included in this bill.

With those amendments, the bill passed out of committee. Although not as drastic as first proposed, many realize that adding more guns in a school environment does not make schools safer. The House voted this “Do Pass” on March 5. **Opposition to this bill should now be addressed to your State Senator.**

## **GUNS EVERYWHERE**

It is anticipated that either HB1638 (Jered Taylor) or HB2056 (Bryan Spencer) will be considered in the House Committee General Laws. These bills, known as “guns everywhere” bills make drastic changes to concealed carry law in Missouri. Concealed carry would be allowed on college campuses, public schools with approval, churches, bars, hospitals, day care buildings, amusement parks, casinos, stadiums, and other locations. These two bills are similar to bills submitted the last several sessions. HB1638 and HB2056 are still in committee.

There is an identical bill in the Senate (SB 663, Eric Burlison) that has had a public hearing.

**Opposition to these bills should be directed to the House General Laws committee or to your own state representative or senator.**

## **SECOND AMENDMENT PRESERVATION ACT**

House Bill 1637 (Jered Taylor) and Senate Bill 588 (Eric Burlison) Second Amendment Preservation Act bills declare that Missouri does not have to follow any Federal law, executive order, or rulings pertaining to firearms. These are extreme bills that experts think would be declared unconstitutional. If passed, one of the dangers is that individuals might think that federal law no longer applies to them in Missouri. (example: sale or possession of a bump stock).

A hearing was held on HB1637 on March 4. There are many other firearms related bills to track, too many to list.

**LWV would oppose these bills based on the LWV Policy statement on gun control:** *Protect the health and safety of citizens through limiting the accessibility and regulating the ownership of handguns and semi-automatic weapons. Support regulation of firearms for consumer safety*