

LEAGUE OF WOMEN VOTERS OF MISSOURI

GUIDE TO STATE ACTION

2009 - 2010



© 2009 LEAGUE OF WOMEN VOTERS OF MISSOURI

This statement from the Missouri League Policy Manual may be of assistance to those wishing to take action on a state position. If you have any questions, please call the state president.

Action on State Positions

An action program will be approved and directed by the state board. This can include deciding on the timing and general content of letters, position papers, news articles, testimony and lobbying; issuing Action Alerts calling for official local League action on state positions and for the individual efforts of members.

Local League responsibilities are to develop public support for the League position, to respond to state Action Alerts, and to inform members so they may act as individuals. Local Leagues must receive permission from the state board before taking independent action at the state government level on any item of state concern.

Many state positions have local applications and local Leagues may act on them locally if the local board decides that the members understand how and why the position applies locally. No clearance from the state board is necessary, nor does the item have to be adopted as part of the local League's program.

Local Leagues may act on local positions at the state level only after getting permission from the state board.

Table of Contents

Statement of Principles.....	1
Foreword.....	2
State Program Positions in Brief.....	3
Government	
Constitutional Revision.....	5
County Home Rule.....	7
Election Process	
Conflict of Interest.....	8
Legislative Reform.....	10
Presidential Nomination.....	13
Voting Rights.....	15
Fiscal Policy	
Overview of Position	17
Revenue	17
Basic Tax Criteria	18
Earmarked Funds	19
Revenue and Expenditure Limits	20
Local Tax Sources – Property Tax.....	20
Local League Sales Tax Option.....	21
Missouri Tax Terms.....	22
Justice	
Judicial System.....	25
Juvenile Justice.....	26
Natural Resources	
Hazardous and Solid Waste.....	29
Land Use and Growth Management.....	30
Water.....	33

Social Policy

Education.....	35
Charter Schools.....	38
Population Control.....	39
Public Libraries.....	39

League of Women Voters of United States

Outline of Public Policy Positions

Representative Government

Voting Rights.....	40
Election Process.....	40
Citizen Rights.....	41
Congress and the Presidency.....	43

International Relations

United Nations.....	43
Trade.....	43
US Relations with Developing Countries.....	43
Arms Control.....	43
Military Policy and Defense Spending.....	43

Natural Resources

Environmental Protection

Air Quality.....	44
Energy.....	45
Land Use.....	47
Water Resources.....	48
Waste Management.....	50
Public Participation.....	51
Agricultural Policy.....	51

Social Policy	
Equality of Opportunity.....	51
Equal Rights.....	52
Education, Employment and Housing.....	52
Fiscal Policy	
Tax Policy.....	52
Federal Deficit.....	53
Funding Entitlements.....	53
Health Care.....	53
Immigration	57
Meeting Basic Human Needs.....	57
Child Care.....	59
Violence Prevention.....	60
Gun Control.....	60
Urban Policy.....	61
Death Penalty.....	57
Appendix - Blue Cross Blue Shield.....	62

STATEMENT OF PRINCIPLES OF THE LEAGUE OF WOMEN VOTERS

The League of Women Voters believes in representative government and in the individual liberties established in the Constitution of the United States.

The League of Women Voters believes that democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible.

The League of Women Voters believes that every citizen should be protected in the right to vote, that every person should have access to free public education that provides equal opportunity for all, and that no person or groups should suffer legal, economic, or administrative discrimination.

The League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government.

The League of Women Voters believes that responsible government should be responsive to the will of the people; that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy, and adopt domestic policies that facilitate the solution of international problems.

The League of Women Voters believes that cooperation with other nations is essential in the search for solutions to world problems, and that development of international organization and international law is imperative in the promotion of world peace.

FOREWORD

The League of Women Voters is a nonpartisan, political organization that encourages informed and active participation in government and influences public policy through education and advocacy.

The League of Women Voters takes action on issues only after the membership has identified an issue for study, has formally studied the issue, and has come to a consensus or member agreement on the issue under consideration. The consensus report is published as the League position and is the basis for League action. Such positions can be the result of studies at the local, state, or national level.

Many public policy issues pertain to more than one level of government. The League is organized to allow flexibility in implementing its positions at the appropriate governmental level. For example, national issues, which the League addresses, may require action on the state and/or local level as well as in the nation's capitol.

This "**Guide to State Action**" presents statements of position for each program area in brief followed by official statements in full. A narrative describes how the League responded to issues by tracing the historical development of position statements and then summarizing significant League action to achieve stated goals.

Only officers and members of the board of directors of the state League or persons designated by the president may take action in the name of the League of Women Voters of Missouri.

How We Reach Our Positions

Positions result from a process of thorough study. Any given study, whether it be National, State, or Local is thorough in its pursuit of facts and details, both positive and negative. As the study progresses, a continuing discussion of pros and cons of each situation occurs. Study committee members fashion consensus questions that are then addressed by the membership.

Additional discussions, pro and con, take place as members (not part of the study committee) learn the scope of the study. After the members reach consensus, the board forms positions based on that consensus.

It is the **consensus statement**—the statement resulting from the consensus questions—that becomes a “position.” Firm action or advocacy can then be taken on the particular issue addressed by the position. Without a position, action/advocacy can not be taken.

Consensus is the overall decision-making process by which substantial agreement among members is reached on an issue.

LEAGUE OF WOMEN VOTERS OF MISSOURI 2009 – 2011 STATE PROGRAM POSITIONS IN BRIEF

GOVERNMENT

Constitutional Revision

Adopted 1941, Updated, 1962

Support of a permanent constitutional commission in addition to other methods for initiating constitutional change
Support of specific constitutional revisions to increase the effectiveness and efficiency of state government

County Home Rule

Adopted 01-08-1971

Support of measures to extend home rule to counties

Election Process

Conflict of Interest

Adopted 12-1978

Support of financial disclosure to expose potential conflicts of interest among public officials and candidates

Legislative Reform

Adopted 1964, Updated 1967

Support of measures to improve the organization and powers of the Missouri General Assembly

Support of standards for apportionment to make congressional and legislative districts as compact, contiguous, and as nearly equal in population as possible

Presidential Nominee Selection Process **Adopted 1970, Updated 1986**

Support of measures to increase the informed participation of Missouri citizens in the selection of presidential nominees

Voting Rights

Adopted 1919, Updated 1966, 1970

Support of an accurate, efficient, accessible, accountable, and uniform election process

Support of measures to ensure a secret ballot

Fiscal Policy

Adopted 1940, Updated `1973, 2003

Support of a balanced and progressive tax system to finance necessary governmental services

Opposition to revenue and expenditure limits to control the growth of state government.

Fiscal policy should be in state statutes, rather than the Constitution.

JUSTICE

Judicial System

Adopted 1940, Updated 2007

Support of a flexible unified system of courts under the Supreme Court

Support of the Nonpartisan Court Plan and an improved system of

Selection, tenure and retirement of judges

Juvenile Justice

Adopted 1974, Updated 1987

Support of measures to insure a coordinated system of juvenile justice which treats children fairly and effectively

NATURAL RESOURCES

Hazardous and Solid Waste

Adopted 1972, Updated 1987

Support of strong provisions to fulfill state and local government's responsibility for hazardous and solid waste management

Land Use**Adopted 1976 Based on National Positions**

Support for the adoption and implementation of long range land use plans and regulations by state, county and municipal governments which incorporate sound policy development based upon the goals, needs and resources of each locale. *Effective land use management requires adequate financing, involvement of professional planners and increased public information and participation. (LWV Washington)*

Water**Adopted 1958, Updated 1984**

Support of a comprehensive water policy for Missouri, one that includes the public trust doctrine

SOCIAL POLICY**Education****Adopted 1965, Updated 1970, 1974, 1983**

Support for equal opportunity in education, access to quality programs and adequate financing.

Charter Schools**Adopted 1999, Updated 2007**

The League does not support or oppose charter schools. Since Missouri law permits Charter schools, the League supports criteria for governance and operations similar to those of traditional public schools.

Family Planning**Adopted 1988 by Concurrence with Springfield/Green Co.**

Support state family planning programs and educational programs about family planning including funding for these programs.

PUBLIC LIBRARIES**Adopted 2007**

Support of a public library system as a basic community service with a long-term assured, stable and adequate funding source.

Support of access by all persons to public library services as a major source of knowledge and information necessary for informed, active participation in a democratic society.

NEW STUDY UNDER VOTING RIGHTS

EARLY VOTING: Scope of study – What are the pros and cons for Missouri to enact Early voting and /or “no excuse” absentee voting. Consensus Requested for 2010.

**GOVERNMENT
CONSTITUTIONAL REVISION**

Support of a permanent constitutional commission in addition to other methods for initiating constitutional change

Support of specific constitutional revisions to increase the effectiveness and efficiency of state government

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

A constitutional convention is an appropriate method for general constitutional revision.

Legislative proposals, voter initiative, and a limited constitutional convention are appropriate methods to accomplish limited constitutional changes.

A permanent constitutional commission composed of legislators and lay people should be established to conduct a continuous study and recommend constitutional change to the Legislature, the Governor, and the people.

BACKGROUND - Constitutional Revision

Documentation of Position

In 1941, the Missouri League initiated a study of the basic issues to be considered in drafting a state constitution, and a position was adopted by the State Board in 1941.

The position was updated in 1962 when League members reached a position in support of establishing a permanent constitutional commission as a useful method for continuous review of constitutional provisions.

In 1971, the League undertook a very limited evaluation of the methods of constitutional revision. That position favored a limited constitutional convention in some cases. This method was not permissible under the Missouri Constitution according to a 1971 ruling of the Attorney General contending that limited constitutional convention would allow extensive revisions without opening the entire document to change.

The Missouri Constitution requires, every twenty years, that voters be asked whether they want a Convention to revise and amend the state constitution. The last time voters voted for a convention was in 1942, and in 1945 a convention was held which produced the present state Constitution. Because the issue of a constitutional convention may be dormant for up to twenty years, the League has chosen to restudy the question each time it is being debated, in order to establish a position appropriate for the time.

History of League Action (Constitutional Revision)

In 1941 the Missouri League undertook a study of the basic issues which are to be considered in drafting a state constitution. Following this study the League was instrumental in securing an affirmative vote for calling a convention in 1942. A new constitution was adopted by the voters in 1945, correcting the major defects in the 1875 Constitution.

After completing an evaluation of the Missouri Constitution in 1962 League members reached a position in support of establishing a permanent constitutional commission as a useful method for continuous review of constitutional provisions. Members also concluded that the calling of a convention at that time was not necessary. Voters defeated the mandatory referendum.

In 1980, in anticipation of the 1982 mandatory ballot, the League studied and again opposed calling a convention. Again the voters defeated the call. They also defeated a proposed constitutional amendment that would have revised the method of selecting delegates to a constitutional convention.

Over the years the League has taken an active stand on ballot issues to achieve specific constitutional changes. For example, in 1962, members reached a consensus favoring a two-term limit for the office of governor, an increase from a one-term limit. The amendment passed in 1965, with active League support. The League opposed a multi-part ethics initiative in 1990 because its various parts should have been proposed as separate amendments.

In 1992, the League of Women Voters of the United States and several state League boards, including Missouri, called for opposition to term limit amendments for members of the U.S. Congress and state legislatures. The League argued that such limits would cause the legislative branch to lose power and would restrict the voters' right to choose candidates. . Under Missouri law passed in 1992 and revised in 2004, "No one shall be elected to serve more than eight years total in any one house of the General Assembly nor more than sixteen years total in both houses of the General Assembly". Current law further states that a person who has served the term limit as a senator or representative may not be reelected to those individual offices ever again.

In 1992, a lawsuit brought by supporters of the term limit initiative resulted in a ruling that citizen access to the ballot was restricted by the time limit for gathering signatures on petitions. Petitioners for a constitutional amendment may now extend into the next year(s) their efforts to meet the July deadline for filing an issue for the November ballot.

In 1996 a candidate's position on term limits, either pro or con, was to be placed next to his/her name on the ballot.

GOVERNMENT COUNTY HOME RULE

Support of measures to extend home rule to counties

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

The population requirement for eligibility to become a home rule county should be eliminated.

The signature requirement to petition for the appointment of a charter commission for county home rule should be decreased to a minimum of eight percent of the number voting for governor in that county in the previous election.

BACKGROUND - County Home Rule

Documentation of Position

The 1969 Convention called for a study of constitutional restrictions which affect county government with particular attention to special districts. Consensus was announced January 8, 1971.

In 1979, convention delegates dropped positions on special districts and retained those related to county home rule. The following were deleted:

"The township as a governing unit should be eliminated."

"There should be state guidelines for special districts."

"A state board should be established to govern formations, dissolutions, and boundary changes of special districts, counties and municipalities, with regional boards to work on the state board."

In 1983, the State Board recommended the County Home Rule position be dropped but delegates to Convention voted to retain it.

The last time the position was amended was in 1985 with a change in wording under "population requirement" (new wording underlined):

...The population requirement ... The signature requirement to petition for the appointment of a charter commission for home rule should be decreased to a minimum of eight percent.

History of League Action

The structure of county government in Missouri has changed little since the Constitution of 1875 was adopted. The organization of county government is explicitly described in the Constitution and, as an agent of the state, a county must perform functions designated by the Constitution and the legislature.

The League's interest in accountable and accessible government extends to the county level. All local Leagues have completed "Know Your County" studies and have local positions relating to county governments.

The home rule provision of the Constitution allows counties of more than 85,000 population to adopt a charter form of government. A petition for a charter commission must be signed by a number equal to twenty percent of the vote for governor in that county in the previous election, and the charter framed by the commission must be approved by the voters.

Home rule charters were adopted by St. Louis County in 1950 and by Jackson County in 1970. Home rule charters were rejected by Greene County in 1980. Boone County rejected home rule in 1980 and tried again in 1992, only to have it vetoed by the Governor. In the early nineties St. Charles County

passed a home rule charter, bringing to three the number of Missouri counties enabled to choose their own form of county government.

In 1993, the General Assembly passed legislation to allow county commissioners of certain counties to call an election to vote self-rule constitutions.

Issues surrounding home rule continue to be of much interest to the counties in Missouri as evidenced by the fact that over a hundred bills for special county legislation are introduced into the state legislature each year.

GOVERNMENT ELECTION PROCESS CONFLICT OF INTEREST

Support of financial disclosure to expose potential conflicts of interest among public officials and candidates

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

A conflict of interest exists when an elected or appointed official or candidate is or will be in position to vote or issue rules and regulations on anything that will result in financial gain or loss for himself (herself), his (her) immediate family or any business with which he (she), or a member of his (her) immediate family is associated.

Conflict of interest legislation should apply to an elected or appointed official or candidate of the state and any political subdivision thereof, and should include judges and commissioners of a court of law as well as persons holding appointive offices whose appointment requires confirmation by municipal or county council or assembly, or board of any political subdivision.

Financial disclosure should be included in the legislation and should extend to interests of spouse and dependent children and any other interest constructively controlled by the official or candidate. Exemptions from yearly disclosure should include: any gift or courtesy of \$500 or under from a source outside the immediate family, value of home, charge accounts, sources of income of \$1,000 or under, and investments of \$1,000 or under.

The candidate and/or official should be allowed to place assets in a blind trust.

In the case of income, gifts or courtesies received from clients, officials and candidates should be required to submit the names of donors as sealed records to be disclosed only in case of investigation. The number, nature and dollar categories of such receipts should be publicly disclosed.

Any official should be prohibited from participating in adversary proceedings before another government agency, whether for public or private remuneration.

To administer and enforce the legislation, an independent commission with rule-making and enforcement powers should be appointed by the Governor with the approval of the Senate.

BACKGROUND - Conflict of Interest

Documentation of Position

The study was adopted at the 1977 Convention and consensus was reached December 1978. "Inherent in the study was the need to weigh the individual right of privacy against the public right to information. Full accommodation of both is beyond the wisdom of this study or of any of the existing laws reviewed. Members nevertheless was the need for a conflict of interest law and felt that reasonable compromise would be feasible."

History of League Action

During the decade between 1980 and 1990, there was little legislative action on the ethics issue that fell within this position. By contrast, there was much legislative activity on campaign finance issues, on which the League's national position provided guidance for League action.

In 1990, the League, in coalition with Common Cause, successfully supported a bill addressing disclosure of financial interest by elected and many appointed officials. Candidates were prohibited from converting campaign monies to personal use. Lobbyists were required to itemize expenditures for lobbying public officials in greater detail. An ethics commission, called for in the House version, was dropped from the final bill. Court challenges and the Attorney General interpretations of the new law voided much of its financial and lobbyist reporting requirements.

The finance disclosure bill was passed in May 1990. Just days earlier, a citizen's group with support and financial backing from the Governor had started an initiative drive, "Yes, for Ethics", which would amend the Constitution. The initiative was successfully challenged in court for dealing with multiple issues and was not permitted on the November 1990 ballot. The League filed an *amicus curiae* brief with the plaintiff, opposing the initiative because of the complexity of the proposed ballot issue and its extensive revision of the Constitution.

A financial disclosure law of 1991 provided for a six-member Missouri Ethics Commission to oversee and enforce the state's laws concerning conflict of interest, financial disclosure and campaign reporting and lobbyist reporting. The League played an active role as the bill passed through the legislative process.

The Ethics Commission was to have been in place by January 1, 1993 but partisan strategies caused a six-month delay and, because of that delay, some complaints that were filed were not heard because the time limits had expired.

GOVERNMENT ELECTION PROCESS LEGISLATIVE REFORM

**Support of measures to improve the organization and
powers of the Missouri General Assembly**

Support of standards for apportionment to make congressional and legislative districts as compact, contiguous and as nearly equal in population as possible

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

Legislative sessions should be annual and their length limited.

The prefiling of bills should be permitted.

Bills remaining on the calendar at the end of the first session should carry over to the second.

Votes of members of legislative committees should be a matter of public record.

Details concerning legislative housekeeping should be removed from the C constitution and set by legislative rule or statute.

Special sessions should be limited to real emergencies. The Governor or a specified percentage of legislators should be authorized to call a special session. The agenda should be set by the initiating body and should not be limited to fiscal matters.

The House should be reduced to 100-125 members.

The members of the General Assembly and the United States House of Representatives should represent single-member districts.

Reapportionment of legislative and congressional districts should be done by bipartisan redistricting commissions appointed by the Governor from lists submitted by party committees. If a redistricting commission fails to agree within the specified time limit, the task should be given to the appropriate commission or panel of judges.

BACKGROUND - Legislative Reform

Documentation of Position

The League, throughout its history, has studied and supported measures designed to improve the system of representation and the operation of the Missouri General Assembly.

During the 1940's the League supported efforts for a unicameral legislature. This position was later dropped and efforts to reinstate it were unsuccessful. The issue was studied again in the 1960's and the members failed to come to a consensus.

Consensus on apportionment of the Missouri Legislature was reached in 1964 and a 1967 consensus extended the same reapportionment principles to congressional districts.

Delegates to the 1975 League Convention voted to establish a committee to explore the feasibility of an initiative petition drive to reduce the size of the House. The committee recommended in its report to the Council (the following year) that the League not undertake a petition drive until the necessary funding and support from other groups and individuals were forthcoming. These were not evident at that time, so the drive was postponed indefinitely.

History of League Action

Over the decades, the League has influenced the writing of legislation that provides for efficient government operations and fair representation.

A law providing for annual legislative sessions was enacted in 1970. At that time provisions were made for carrying-over bills left on the calendar at the close of the session in odd numbered years. A storm of controversy erupted and the House and Senate adopted rules which prevented the carrying-over of bills from one session to another. The Missouri Attorney General then issued an opinion to the effect that all bills remaining on the calendar at the end of the first session must retain their status at the beginning of the second session. Such a carry-over system has never been used.

In 1971, the pre-filing of bills was approved and continues to be practiced.

The open meeting (Sunshine) law, passed in 1973, provides, among other things, that committee discussions and votes taken concerning whether to recommend a bill must be open to the public. A public record of committee votes is also required if a roll call is taken.

In 1973, a law passed calling for a major review of the legislative branch. The Joint Interim Committee on the Improvement and Modernization of the Missouri General Assembly was established and a citizen's advisory committee was appointed. The report issued by the legislative committee included a recommendation to reduce the size of the House from 163 members to a more manageable size, preferably 125. Bills to reduce the number of House members have been unsuccessful and with rural opposition being so strong, it is unlikely the House will ever vote to reduce its own membership.

The Missouri Legislature must be reapportioned following each ten year United States Census if there is a variance or shift in population in the state. Each chamber is reapportioned by a bipartisan commission. In 1982, the League authored and shepherded through the legislature a constitutional amendment to require a panel of state appellate judges to redistrict the Missouri Legislature if the redistricting commission fails to do so. Missouri voters subsequently approved the amendment. (The League in 1972 opposed an unsuccessful bill which would have returned to the legislature the first chance to reapportion itself.)

After the 1980 census, Missouri's congressional representation dropped from ten to nine. When the 1981 session of the General Assembly was unable to agree on a congressional reapportionment plan, the League of Women Voters of Missouri filed suit requesting the United States District Court to reapportion the state's congressional districts. The League's suit was consolidated with two others and

the League served as lead plaintiff. The Court held a public hearing at which the League presented a statement including criteria for reapportionment. The Court urged the legislature to act but agreed to have a plan ready. The Governor called the legislature into special session in November but it again failed to pass a plan. The Court decreed a reapportionment plan in January 1982. That spring the legislature passed a proposed constitutional amendment calling for a bipartisan commission to realign congressional districts after each census. The voters of Missouri defeated the amendment in November 1982 despite active League support.

In 1988 a constitutional amendment passed which accomplishes several League positions. It sets annual terms of even length for the General Assembly with sessions to begin the first week in January and to end in mid-May at 6 p.m.; the budget must be completed one week before the deadline for action on bills; and, a special session of the General Assembly may be called on petition by three-fourths of the members of each chamber.

In 1990, a "Yes for Ethics" ballot initiative, which would have reduced the size of the House to 101 members after the year 2000 Census, was ruled unconstitutional.

Legislation to avoid rejection of initiative and referendum petitions on technicalities was passed in 1985. The League-supported act requires such petitions to be checked for form before they are circulated. The wording that will appear on the ballot to describe the measure must be clear and simple and must appear in the petition. In 1988, a League-supported bill was passed that allows for random sampling of signatures on initiative petitions. This saves costs of election authorities and allows for a shorter time for petitions to be approved or rejected.

**GOVERNMENT
ELECTION PROCESS
PRESIDENTIAL NOMINEE SELECTION PROCESS**

**Support of measures to increase the informed participation of
Missouri citizens in the selection of presidential nominees**

STATEMENT OF POSITION

The League of Women Voters of Missouri recommends the following changes in rules and procedures relating to the caucus/convention process for selecting presidential nominees:

Improved public education concerning the caucus/convention process

Local caucus/convention sites which are public, adequate in size, and accessible to the handicapped.

Caucus/convention times which encourage participation

Improved publicity concerning time, location and agenda of caucus/conventions

More than one caucus in townships/wards with larger voter population

Caucus/conventions at sub-township/ward levels as needed.

Assured pre-caucus training for leaders and voters

Faster check-in procedures at caucus/conventions.

Available information to assess the qualifications of proposed delegates prior to their election at caucus/convention.

If Missouri adopts a primary system to select presidential nominees, the following are recommended:

The primary should be proportional with presidential nominees' names on the ballot. (The percent of votes - above a minimum - received by each presidential nominee would determine the proportion of delegates each is allotted.)

Delegates' names should not appear on the primary ballot; delegates to national conventions should be elected by caucus/convention.

The same type of primary should be adopted by all political parties.

Legislation should provide for a review of the primary system.

March or April is the preferred time for a primary.

A national primary is not appropriate at this time.

BACKGROUND - Presidential Nominee Selection Process

Documentation of Position

The 1969 Convention voted a study "to evaluate a state preferential presidential primary and requirements for voting."

The initial consensus was reached in 1970; a new study was adopted in 1985 and consensus announced January 8, 1986.

The 1985 study came about as a response to public expressions of concern and frustration over the way in which the 1984 caucus/convention systems operated and because the state legislature was certain to pass legislation for a 1988 presidential primary election of some kind.

The conclusions of the study, while not advocating a presidential primary for Missouri, called for several changes in rules and procedures in the present caucus method of nominating candidates.

History of League Action

The 1986 League position reflects agreement on several measures to improve both caucus/convention and presidential primary procedures. As in the earlier study of 1970, members did not reach a clear-cut consensus favoring one approach over the other. However, the League used the position to evaluate proposals for a presidential primary and to recommend caucus/convention rules to the political parties.

The six considerations League members used in the 1985 study are suggested for future decisions. They ask what the effect of this nominating procedure is on:

- quality and quantity of voter participation
- advantages and costs to the candidate en route to winning and governing
- the role of the political parties and the effects on their strength and competitiveness
- costs and benefits to Missouri
- recruitment of candidates who are skilled in leading, with the ability to inspire support from the nation's voters and to govern effectively how Missouri's nominating process and timing relates to that of other states and the national convention.

The 1970 study produced consensus on delegates to the national party conventions, stating,

"League members prefer a combination of district and at-large delegates and believe delegates should be pledged to a party and/or candidate". Currently, party rules comply with that position.

In 1986, the Missouri Legislature provided for a one- time proportional-type presidential primary, which was held March 8, 1988. It called for candidates' names on the ballot and allocation of party delegates based on the vote. The act did not mandate a review of the process.

The League took special measures to inform the public and the League membership of the 1988 primary by writing and producing a video that was widely distributed; by publishing a monthly newsletter with detailed information about the candidates; and by serving as the major conduit for distributing the pamphlet, "Get Involved in a Political Party."

The caucus versus primary issue has sustained public interest since the 1988 presidential primary. Legislation has been introduced into the state legislature each year to provide for presidential primaries on a permanent basis. In 1992 Missouri returned to the party caucus system and each party chose separate dates to hold first round caucusing.

**GOVERNMENT
ELECTION PROCESS
VOTING RIGHTS**

Support of an accurate, recountable, efficient, accessible, accountable and uniform electoral process

Support of measures to ensure a secret ballot

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

Election laws and procedures should be uniform.

A permanent election laws revision commission should be established.

Special provisions should be made for the training of poll workers.

A voter should not have to publicly declare a party of choice in a primary election.

A September primary election date should be established.

BACKGROUND - Voting Rights

Documentation of Position

Election procedures have been a concern of the League since the League's inception in 1919. In 1966, members re-studied election procedures and concluded that greater uniformity of the state's election laws was of prime importance. The position was updated in 1970.

Delegates to the 1973 Convention defeated a proposal to study the open primary. The following year, the state Council determined that Leagues statewide should discern whether their members concurred with a St. Louis League position favoring "an open primary whereby the voter would not have to publicly declare his/her choice of party." As a result, members agreed to extend this position statewide.

History of League Action

The League of Women Voters of Missouri has seen many of its positions on election procedures enacted, among them a 1969 law requiring the counting of absentee ballots on the day of election, and a 1971 provision permitting local choice of voting devices. In 1973 a statewide voter registration law was passed, culminating twenty-one years of League effort. In 1974, a law was enacted forbidding identifying numbers to remain on paper ballots and reducing to 30 days the length of state residence required to vote.

(Since 1985, persons moving into the state may register on the first day of their residence)

The Comprehensive Election Act of 1977 accomplished long-sought League goals to simplify, clarify and harmonize the laws governing elections. Specific dates were set for elections and a uniform statewide registration process was established. Employees of schools and libraries or other persons may be appointed deputy registrars. If a change of name or address occurs after books close, a voter may vote under the previous name or address only at that election. Application for an absentee ballot may be made in person or by mail or a close relative may apply in person on the voter's behalf.

Some provisions of the 1977 act were permissive rather than mandatory. Consequently, election practices were still not uniform statewide. In 1985, the League supported bills that would have extended the use of mail-in registration and required election officials to use deputy registrars but these bills failed to pass. In 1989, the League again supported legislation requiring election officials to use deputy registrars. This legislation passed even though opposed by election officials but fell to a

gubernatorial veto. Election officials adopted a uniform registration form and began work to comply with federal standards for poll accessibility for the handicapped.

Legislation to avoid rejection of initiative and referendum petitions on technicalities was enacted in 1985. The League-supported act requires such petitions to be checked for form before they are circulated. The wording on the ballot to describe the measure must be clear and simple and must appear in the petition. In 1988, a League-supported act passed that allows for random sampling of signatures on initiative petitions. This saves costs for election authorities and shortens the time for petitions to be approved or rejected.

In 1991, the League in coalition successfully opposed measures which would have required a public hearing prior to filing an initiative petition. The already brief petitioning time would have been further reduced. That same year, a Missouri court overturned the existing one year limit for gaining signatures on initiative petitions, saying the time limit restricted voters' access to the ballot. Advocates for the initiatives involved won the right to continue petitioning and to qualify for a 1993 or later election; however, they were able to meet the July filing deadline for the November '92 ballot.

In 1993, major League-supported election legislation passed which had failed in previous sessions or had been vetoed in 1990 and 1992. Voter access was improved by allowing mail-in registration for all who request it and broad availability of registration forms. Notarization is not required for registration. The last day to register was moved back to the fourth Wednesday prior to the election. Several categories of voters will be able to vote at state and local elections because of the new statutes. Fewer signatures will be required for forming new political parties.

In 2000, the Secretary of State submitted a comprehensive election procedures reform bill to the General Assembly. The League supported this bill. The bill was not acted on by the 2000 legislature.

In 2001, similar legislation was proposed. The League lobbied much harder in concert with the Secretary of State and the Senate sponsor of the bill. This time, the legislation passed. The new law provides for measures to improve voter accessibility to the polling places, early voting, more oversight by the Secretary of State to combat election fraud, allows election judges from outside the two political parties. Many of the procedural improvements provided for in this law depend on funding being available. The League will be monitoring funding and implementation of these reforms.

GOVERNMENT FISCAL POLICY

**Support of a balanced and progressive tax system to finance
necessary governmental services**

**Opposition to revenue and expenditure limits to control
the growth of state government**

Fiscal Policy should be in state statutes, rather than the Constitution.

QUICK OVERVIEW OF LEAGUE TAX POSITIONS

1. Support of an adequate, balanced, and progressive tax system to finance necessary governmental services, which emphasizes equity and fair sharing of the tax burden.
2. Financial stability should be one goal of fiscal policy.
3. The tax base should be broad with few exceptions. The tax mix should clearly demonstrate a combination of ability to pay and benefits received.
4. Support of continued reliance on three major tax sources: income, sales and property.
5. Any growth and expenditure limits should be placed in state statutes, not the constitution.
6. League opposes state sales taxes on food and drugs as ways to reduce the regressive nature of the general sales tax.
7. Corporations should share a larger percentage of Missouri's tax burden
8. Fees (licenses and permits) are an appropriate source of funds needed to pay the cost of regulating certain activities.
9. Use of earmarked funds should be limited and viewed with caution.
10. Local leagues may support a local option sales tax after study, using state guidelines and with appropriate evidence being cited.
11. Property tax should be based upon fair and uniform assessments with review and oversight by the State Tax Commission.
12. If significant new revenue is needed to support essential new services it should be realized through the individual income tax.
13. To sustain a representative government, elected officials must be responsible for making fiscal decisions. Elected officials are then accountable to the voters for their actions.

REVENUE

League supports an adequate, balanced and progressive tax system to finance necessary governmental services, which emphasizes equity and the fair sharing of the tax burden. The tax base should be broad with few exceptions and the tax mix should clearly reflect a combination of ability to pay and benefits received. Financial stability should be an important goal of fiscal policy.

- a. If significant new revenue is needed to support essential state services it should be realized through the individual income tax.
- b. The rate and bracket structure of individual income tax should be made more progressive and increased above the current \$9,000 maximum. Current income taxes are fairly flat due to bracket structure.
- c. League supports the retention of the provision enabling taxpayers to deduct federal taxes when calculating state taxes owed.
- d. Corporations should assume a larger share of Missouri's state tax burden through either an increase in the current tax rate or a permanent tax bracket structure.
- e. Food and drugs should be exempt from sales tax. Support for exempting food and drugs using income tax credits or rebates paid on food as ways to reduce the regressive nature of the state sales tax.
- f. Additional revenue could be derived by repealing the exemption of certain sales, which, if included in the entire tax base, would increase the equity, productivity and efficiency of the sales tax.
- g. Any increase in an earmarked broad based tax, like general sales or income tax, should include an expiration date.
- h. A statewide earnings tax is not an acceptable revenue option.
- i. League opposes taxing services.

BASIC TAX CRITERIA

The structure should include many kinds of taxes to provide stable revenue sufficient to meet budgetary needs. A tax system should be flexible and adapt to changing conditions and needs.

- a. Tax mix should reflect a combination of ability to pay and benefits received.
- b. The base should be broad with few exemptions
- c. A tax should be easy to understand and comply with and an appeal should be simple and inexpensive.
- d. A tax should be difficult to evade and easy to enforce.
- e. The tax should be inexpensive to collect relative to yield.
- f. The effect of the tax structure on business and individuals should be consistent with economic and social aims of the state.
- g. The tax should provide fiscal stability including a reasonable reserve to maintain services over period when revenues are unusually low.

FEES

Fees are appropriate sources of funds needed to pay the cost of regulating certain activities through licenses and permits. When a fee is used to fund a program, it should:

- a. To the extent feasible, be sufficient to cover the cost of the regulatory program involved.
- b. Recognize that fee costs are usually passed on to consumers.
- c. Be inexpensive to collect relative to yield, and hard to evade, but easy to enforce.
- d. Permit mandatory review at regular intervals, to permit evaluation of the funding method and its relationship to the actual cost of the program.

EARMARKED FUNDS

- a. The use of earmarked funds, such as user fees, should be limited and viewed with caution.
- b. If earmarking is used, it should be restricted to cases where there is a clear relationship between the revenue source and the service it funds, like user fees and license taxes.
- c. Earmarked funds should include a sunset clause.

Local Option Sales Tax

Local Leagues may support a local option sales tax after study. Such tax may be for general revenue, capital development, or specific services (i.e. mass transit, mental health clinics, etc.)

To work for or against a specific local sales tax proposal, a local League must be able to support its position with appropriate evidence addressing all the following questions:

- a. Has a need for the revenue been demonstrated?*
- b. Is the use to which the revenue would be put a high priority for the community?*
- c. Given the use for which the tax is proposed, is the sales tax option preferable to a property tax increase? Considerations would include:*

What is the current property tax rate, and what property tax increase

- would be needed to produce approximately the same amount of revenue as the proposed sales tax would produce?*
 - What action would be required to increase the property tax rate- ordinance, only, simple majority vote, or two-thirds majority vote?*
 - What is the local voters' attitude to property tax proposals?*
 - What share of total revenue is currently provided by the property tax compared to the sales tax? (i.e. is one currently underused relative to the other?)*
 - If the proposed sales tax revenue is to be used for capital expenditures, is the pay-as-you-go approach preferable to a bond issue?*
- d. Are other viable options available? (Considerations would include pros and cons of an earnings tax, gross receipts tax, user fees, etc.)*
 - e. Would the benefits received from the sales tax outweigh its regressive impact on the poor and persons with fixed incomes?*
 - f. Is much business done with nonresidents, so some of the tax would be paid by outsiders?*
 - g. Is retail business in the community adequate to produce significant sales tax revenue?*
 - h. Would increasing the sales tax put local business at a disadvantage relative to adjacent communities?*
 - i. Would the proposed sales tax increase contribute to fiscal disparities among localities?*
 - j. How would a sales tax increase affect the community's revenue structure? (Considerations would include balance, stability, and responsiveness to economic change.)*

REVENUE AND EXPENDITURE LIMITS

League opposes the use of either revenue or expenditure limits to control the growth of state government. The existing constitutional prohibition against deficit spending and the normal processes of representative government serve as adequate safeguards against rampant taxation. If there are revenue or expenditure limits, LWVMO feels that they should be in state statutes, not specified in the constitution. (State statutes, passed by the General Assembly, allow for adjustments in the law to meet changing circumstances. Constitutional amendments or their removal, must come forward by initiative petition or legislative action and be voted by the public, a long and arduous, difficult procedure.)

If there are revenue and expenditure limits, they must meet the following criteria:

- a. Elected officials must be responsible for making fiscal decisions in a representative democracy

- b. If there is a revenue or a spending limit, the legislature should have the authority to exceed it under full disclosure procedure whereby legislators will be held accountable to the voters for their actions.
- c. Fiscal constraints should be flexible to adapt to changing conditions and needs.
- d. Financial stability should be one goal of fiscal policy. There should be provision for reasonable reserves to maintain services when revenues are unnaturally low.
- e. Sound fiscal policy requires a balanced and equitable mix of taxes. Revenue or spending limits that tend to upset such a mix should be avoided.
- f. Limits leading to the proliferation of earmarked funds should be avoided.
- g. If a formula is used to establish a revenue limit, it should reflect long run trends in the state's economy, minimizing the effect of unusual years.
- h.** If the revenue limit is exceeded and a refund made, all taxpayers should be able share in the refund.

LOCAL TAX SOURCES

PROPERTY TAX

As a foundation for a strong state and local fiscal system, the League supports continued reliance on the three major tax sources: income, sales and property.

State Tax Commission

- a. The State Tax Commission should be strengthened, giving it more authority to set statewide rules for assessor qualifications and assessment methods.
- b. There should be continued support for the Commission to publish up-to-date manuals and conduct classes for and to supervise the practices of local assessors.
- c. The office of local assessor should be professionalized.
- d. The Commission should have the authority to require valuations to be equalized not only between but within governmental units in order to achieve a single statewide standard.
- e. The Commission should be required to conduct accurate assessment ratio studies annually to check the accuracy of local assessments.
- f. The taxpayer should be informed of the average level of assessment within his district.

RECOMMENDATIONS FOR PROPERTY TAX FAIRNESS

- A certificate of value or revenue stamp should accompany every transfer of property to facilitate sales-ratio studies. If a fee is charged, it should not be a means of raising revenue.
- League supports statewide reassessment as an essential first step towards uniformity.
- As the goal is equity, not a tax increase, a rollback provision should protect taxpayers against windfall tax increases resulting from the revaluation.
- Retention of tax relief measures for qualifying seniors and disabled persons. These are known as circuit breakers or homestead provisions.

League believes that basic income should be shielded from property tax overload. The criteria for such a plan include relief based on income, relief to renters as well as homeowners, no erosion local property tax base, use of income tax credits or rebates as reimbursement for property taxes paid by low income taxpayers.

- Missouri Constitution should be divested of details that obstruct sound use of the property tax. For example, specific limitation on tax rates and bond issues should be removed from the constitution and made statutory.
- Only a simple majority of those voting should be required for approval of the general obligation bond issues and tax levies.

Local League Sales Tax Option

Local Leagues may support a local option sales tax after study. Such tax may be for general revenue, capital development, or specific services (i.e. mass transit, mental health clinics, etc.)

To work for or against a specific local sales tax proposal, a local League must be able to support its position with appropriate evidence addressing all the following questions:

- a. Has a need for the revenue been demonstrated?
- b. Is the use to which the revenue would be put a high priority for the community?
- c. Given the use for which the tax is proposed, is the sales tax option preferable to a property tax increase? Considerations would include:
 - What is the current property tax rate, and what property tax increase would be needed to produce approximately the same amount of revenue as the proposed sales tax would produce?
 - What action would be required to increase the property tax rate- ordinance, only, simple majority vote, or two-thirds majority vote?
 - What is the local voters' attitude to property tax proposals?
 - What share of total revenue is currently provided by the property tax compared to the sales tax? (i.e. is one currently underused relative to the other?)
 - If the proposed sales tax revenue is to be used for capital expenditures, is the pay-as-you-go approach preferable to a bond issue?
- d. Are other viable options available? (Considerations would include pros and cons of an earnings tax, gross receipts tax, user fees, etc.)
- e. Would the benefits received from the sales tax outweigh its regressive impact on the poor and persons with fixed incomes?
- f. Is much business done with nonresidents, so some of the tax would be paid by outsiders?
- g. Is retail business in the community adequate to produce significant sales tax revenue?
- h. Would increasing the sales tax put local business at a disadvantage relative to adjacent communities?
- i. Would the proposed sales tax increase contribute to fiscal disparities among localities?
- j. How would a sales tax increase affect the community's revenue structure? (Considerations would include balance, stability, and responsiveness to economic change.)

Missouri TAX TERMS

Adjusted gross income The amount of income considered actually "available" to be taxed. Adjusted gross income is gross income reduced principally by business expenses incurred to earn the income and other specified reductions (such as alimony).

Balanced Revenue Has both elastic and stable taxes.

Capital expenditures Amounts spent to acquire or improve assets with useful lives of more than one year. These expenditures may not be deducted, but are added to the basis of the property and, for business property, may be converted into deductions through depreciation or amortization.

Circuit Breakers Are a device to help alleviate the burden of property taxes. Senior citizens or other residents whose income is below a certain amount get, for example, income tax refunds when the property taxes paid exceed a certain percentage of income.

Deductions are subtractions from gross income for the purpose of determining a tax bill. They are not the same as credits, which are subtracted from the actual tax paid.

Effective Tax Rate The ratio, generally expressed in percentages, of taxes paid to a taxpayer's total income.

Efficiency Is a tax easy and inexpensive to administer? Is it easy for the taxpayer to comply with?

Elasticity The responsiveness of a tax to economic changes. The income tax responds immediately to changes in income and therefore elastic. The sales tax is more stable than the income tax, but is also responsive to change. The property tax is comparatively inelastic since changes to property values are reflected slowly because of revised tax assessments. Property tax is relatively stable and thus comparatively inelastic.

Equity is defined as just, impartial and fair. A progressive income tax is considered just by some because it is based on ability to pay and takes a higher proportion of the income of more affluent citizens who will not be so negatively affected. For exactly the same reason, it is considered unjust by others who see no reason why the wealthy should pay proportionately more for services enjoyed by all.

Excise taxes Levied on a specific good or service, such as cigarettes, alcohol or fuel, and are set by unit (for example, a gallon of gasoline) rather than purchase price. Sometimes they're referred to as 'selective sales taxes'.

Expenditure Limits Tie annual spending levels to growth indexes or other authorized levels (The most common limitation) or hybrids which are a combination of limits tied to a measurable index and provisions to refund revenues that exceed the limits or have supermajority requirements for tax increases.

Flat Tax The "flat tax" was first proposed by two Stanford economists, Robert Hall and Alvin Rabushka, in their 1983 book "Low Tax, Simple Tax, Flat Tax." The Hall-Rabushka plan would replace the current personal income and corporate income tax structure with a two-level tax designed to tax all income exactly once, and at the same rate (in H-R's version, 19 percent). A number of so-called "flat tax" plans have been proposed to replace the current federal personal income tax and the corporate income tax. It would eliminate or nearly eliminate or nearly eliminate all exemptions. The prototype proposal was put forward by House Majority Leader Richard Armey (R-Tex).

Homestead exemption A state or local tax break that exempts a certain amount of the value of property upon which a property tax is based.

Progressive tax system Based on ability to pay and takes a higher proportion of the income of more affluent citizens who will not be so negatively affected.

Regressive tax system One in which effective tax rates fall as income rises. In other words, the burden tends to be overly high on the state's less-affluent residents. (Example: Sales tax on food.)

Revenue limits The tying of yearly revenue increases to measures such as personal income, population or inflation.

State Tax Commission This commission is the agency charged with overseeing Missouri's property tax system. Responsibilities include assisting county assessors, assessing property of railroads and utilities, ensuring that property tax assessments are accurate, and hearing appeals from taxpayers who disagree with the value or classification placed on their property. Their goal is to maintain a property tax system that is fair and uniform while promptly and efficiently responding to the questions, complaints and needs of taxpayers and assessing officers.

Streamlined Sales Tax Project Effort currently underway to simplify and standardize the sales tax systems of the states in order to deal with a U.S. Supreme Court ruling that forbids states from forcing retailers to collect sales taxes on Internet transactions, on the grounds that such collections would be too complicated.

Tax burden A measure of the taxes paid in a state relative to another constant factor, such as total personal income, for example.

Tax district Any city, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located within any city operating under the provisions of sections 92.700 to 92.920;

Tax expenditure report is a document produced by a state to show the revenue impacts of tax exemptions.

Tax Increment Financing Borrowing method known as tax increment financing, or TIF. The basic idea underlying TIF is that a city or town finances an improvement in a specific district with the property tax revenue generated by that improvement. The part of the new stream of money increase due to resulting higher property values, the tax increment, get paid into a special fund used to subsidize some portion of the redevelopment in the TIF district. This was originally intended to help blighted areas within a municipality to redevelop.

Taxpayer A person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax.

Taxable income What is left after all deductions are taken. This is the amount upon which tax is based.

History of League Action

Because a sound revenue structure is needed to fund the various government programs supported by the League, members have maintained a lively interest in Missouri's taxes since the 1940's. A comprehensive study of state and local taxes in 1973 produced property tax position, which enabled the League to take an active part in promoting the assessment reforms that were a major issue during the late seventies and early eighties. A statewide reassessment was completed in 1983 and over the years, laws have been amended to strengthen the State Tax Commission, professionalize the office of assessor, require reassessment every two years, and protect taxpayers against windfall tax increases resulting from reassessment. In the seventies, the League also successfully supported enactment of a "circuit breaker" law, which grants credits and rebates to elderly taxpayers and renters with low

incomes to compensate them for property taxes paid. As reported under Education, the League continues, with mixed success, to support proposals to lower the majority required to approve property tax increases and bond issues.

The Hancock amendment, passed in 1980, placed constitutional restrictions on increases in state and local revenues. The League actively opposed passage of the amendment and has supported several proposals to repeal or modify it. Tax limit supporters have circulated petitions which would revise the Hancock Amendment to considerably tighten its tax and spending limits—a move directly contrary to League’s stance. There have been bills introduced supporting League positions. One such bill called for increases in individual and corporate income taxes, the avoidance of a sales tax increase, and would have produced a fairer, more adequate state revenue structure, which continues to be an important goal for the League.

In 1997 LWVMO again joined a lawsuit to challenge the Hancock amendment. This lawsuit addressed the distribution of funds back to the citizens should be ‘lid be tipped.’

For the last twenty years, the legislature and the citizens have grappled with the issue of reducing state government, particularly in the fiscal area. In 2005 the passage called Amendment 3, which took the other half of the gas tax money and placed its revenue into the Department of Transportation’s budget meant that there was considerably less in the General Fund, affecting social services funding.

Besides limiting income and the ability of Missouri governments to increase taxes, there has been a growth since the 1990’s to limit the ability of the legislature to appropriate funds. This is called the Tax Payers Bill of Rights or TABOR. From 2003 to 2005, bills have been introduced which propose a constitutional amendment to establish an appropriations growth limit. League opposes this form of tax limitation and its increasing lack of flexibility imposed on the state legislature.

JUSTICE JUDICIAL SYSTEM

**Support of a flexible unified system of courts under the Supreme Court
Support of the Nonpartisan Court Plan and an improved system of selection, tenure, and retirement of judges**

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

The court system should be fully unified. Complete supervisory and administrative control of the courts should be vested in the state Supreme Court.

All courts should be courts of record.

All judges should be chosen by the Nonpartisan Court Plan, and the nonpartisan plan should be extended either by local option or by legislative action making it mandatory statewide. All judges should be qualified members of the Bar.

Municipalities might maintain their own courts to hear cases involving alleged violations of their ordinances provided these courts met the standards of state courts.

BACKGROUND – Judicial System

League study of and action toward judicial reform in Missouri began more than sixty years ago with a consideration of question of removing judges from politics. In 1940, after a two-year study, the decision was made to support the Nonpartisan Court Plan for selecting judges. In the ensuing years, other studies have been undertaken regarding courts or judges. At the 1967 State Convention, League delegates adopted a non-recommended item, "Evaluation of the Missouri Judicial System," and after an intensive study reached consensus in January 1969.

History of League Action:

In August 1970, the five Leagues in St. Louis County supported the successful adoption of the Nonpartisan Court Plan for their county. The Kansas City League helped gather the necessary signatures to place the court plan for Cass, Clay and Platte Counties on the ballot in 1972 when it was overwhelmingly adopted by the voters. Courts now operating under the Nonpartisan Court Plan include the Missouri Supreme Court and Court of Appeals, Circuit and Probate Courts of the City of St. Louis and the counties of St. Louis, Jackson, Clay and Platte, the St. Louis Court of Criminal Correction and Kansas City Municipal Court.

The most recent serious consideration of improvement in the total organization and operation of state courts began in 1970 when the Board of Governors of the Missouri Bar Association appointed a committee to draft a new judicial article. The Court Modernization Committee held meetings for two years and presented their proposal in 1973. It was their intent to bypass the state legislature and take court reform directly to the citizens by initiative petition to be voted on in 1974. The State Convention of 1973 approved League participation in this petition drive. However, the committee's suggested revision met with opposition in the Bar as a whole and the petition drive was dropped.

Efforts for revision of the judicial article continued through the appointment of a lawyer's committee by the Bar in July 1975. League positions were made known to this committee. A complete revision of the article passed the legislature and finally approved by the voters in 1976, becoming effective January 1, 1979.

In 1979, at the LWVMO Convention, the position was inadvertently dropped. This oversight was discovered in 2007 when legislation in the Missouri Assembly, encouraged by the Governor, tried to overturn the Nonpartisan Court Plan. Knowing legislation would again be tried in future legislative sessions, the LWVMO, using their by-laws, passed in emergency session at a state meeting on November 3, in Sedalia, MO, concurrence to reaffirm the prior position.

JUVENILE JUSTICE

**Support of measures to insure a coordinated system of juvenile justice
which treats children fairly and effectively**

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

Juvenile Court shall have exclusive original jurisdiction over all children under the age of eighteen years in matters involving dependency, neglect, custody, adoption, misdemeanors, felonies, "status offenses" and indeterminate commitments, with periodic review by an appropriate agency.

All routine traffic offenses should be removed to traffic court. (All offenses were removed from the Juvenile Court for sixteen year old persons in 1979, except for felonies)

The Juvenile Court System should be accountable for its procedures and dispositions. These should include but not necessarily be limited to:

- Hearings open, in some manner, to enable the public to evaluate the effectiveness of the court's procedures and dispositions while maintaining the child's privacy.*
- Records of the proceedings required to facilitate appeal, such records to be made available only by court order; and*
- Uniform statewide record keeping.*

A child should be insured the right to:

- Care and treatment according to the child's needs.*
- Coverage under the Public Defender system.*
- Counsel at every stage of juvenile proceedings.*
- Make a telephone call.*
- Fair and speedy hearing.*
- Clear and convincing evidence as a basis for adjudication.*
- A copy of the detention order and copy of the child's rights written in clear and simple language;*
- A stay of execution of final judgment, pending appeal unless refused with good cause.*
- Educational opportunity on a twelve month basis while in jail or detention.*

The Juvenile Code should include:

- A clear statement of the constitutional rights of children.*
- Criteria for intake and detention, custody, probation, or supervision, waiver and expungement of record*

Services necessary to fill the needs of children under the jurisdiction of the Juvenile Code are to include:

- Centralized statewide coordination.*
- Regular assessment of juvenile programs to determine their necessity, effectiveness and quality*
- Varying kinds of care and treatment provided by the state consistent with children's needs*
- Special training, periodic updates and/or special qualifications for judges, public defenders, juvenile officers and all court personnel dealing with*

- children*
- *Licensing and regular inspections of all child care facilities in the state*

BACKGROUND - Juvenile Justice

Documentation of Position

Leadership for initiating and promoting the Juvenile Justice position has come from the local Leagues.

In 1973, by a vote of 74-19, the State Convention adopted a non-recommended item: a study of Juvenile Justice. Consensus was reached in December 1974.

In 1979, the State Board recommended that the Juvenile Justice position be dropped but the delegates to Convention voted to retain it.

Again, in 1985, the State Board recommended that the Juvenile Justice item be dropped from the League's program since state League action on the issue has been limited for several years. Delegates to that Convention overruled the board and voted to retain the Juvenile Justice position because of strong continuing interest on the part of local Leagues.

At the State Convention in 1987, delegates clarified the position by including not only Chapter 211, Missouri Revised Statutes (The Juvenile Code), but also those portions of Chapter 210 (Child Abuse Laws), and Chapter 219, (Division of Youth Services), that pertain to the position.

History of League Action

Improvements have been made in Missouri's juvenile justice system since the League's position was developed in 1974. The Division of Youth Services, (DYS) established in 1975, is capable of determining what exists and what is needed to provide for the necessary care and treatment of children in the juvenile justice system. The role of DHS conforms to the League's positions although funding has been inadequate. Another League goal, removing sixteen year olds traffic offenders from the juvenile court system, was achieved in 1974. Also, law now requires that legal proceedings be recorded.

Family courts, which place under a single court system cases involving juvenile proceedings, child abuse, guardianship, and other family-related issues, are now a reality – in some circuits by law, and in others by choice. Although not specifically calling for family courts, the League's Juvenile Justice position lends itself to the concept.

Much remains to be done. The battle to require inspection and licensing of all child day care facilities has been a long one – 17 years. In 1993, legislation was passed to require unlicensed facilities to have annual health and safety inspections and to submit written statements of policies concerning discipline, staffing, and so on. That is a start, but licensing of all child day care facilities is still the goal.

The League's position calls for the juvenile court to have original jurisdiction over all children up to age 18. Achieving this goal has become more difficult as the number of juveniles committing serious offenses has increased. Meanwhile, the League will be battling attempts to have juveniles automatically certified as adults where certain offenses are involved. The lack of treatment facilities for neglected, abused and delinquent children is a crucial problem. Because services are lacking,

standards in Missouri are continually lowered, so that children at risk in their homes or in the community are returned to unsuitable homes. Some areas of the statutes need clarification: rights written in simple language, for example, or what is meant by a speedy hearing, or what constitutes appropriate training for juvenile court judges and staff.

Has the time come for a partial restudy of the juvenile justice position? The League's position supports confidentiality of juvenile proceedings. How does this relate to the rights of victims, now protected under a recent Missouri law?

On the whole, the nineteen-year old Juvenile Justice position remains a vital document.

NATURAL RESOURCES HAZARDOUS AND SOLID WASTE

Support of strong provisions to fulfill state and local government's responsibility for hazardous and solid waste management

STATEMENT OF POSITION

The League of Women Voters of Missouri believes that:

Strong enforcement provisions and procedures for solid and hazardous waste disposal are required.

The state waste management programs should be adequately funded.

The law should regulate feed lots, mining operations and dumping on private property, and should control disposal of toxic materials.

Cities and counties should be permitted to adopt and enforce their own regulations if they are more stringent than state regulations.

Governmental units should be encouraged to cooperate in planning and implementing the disposal of solid and hazardous waste.

State law should provide for research on and use of innovative procedures for solid and hazardous waste management and disposal.

Reduction at the source, resource recovery and recycling should receive high priority.

BACKGROUND - Hazardous and Solid Waste

Documentation of Position

The League of Women Voters of Missouri participated in a national study in 1972, which identified the improper disposal of solid waste to be a source of air and water pollution and a despoiler of the land. For nearly two decades, the League of Women Voters of Missouri has included solid waste on the state program.

Solid Waste, as an action item appeared on the state program in 1977. (From 1969-1975, it was not listed.) In 1979, the State Board recommended the state position be dropped since the goals could be achieved using the national League position, but the recommendation was voted down at Convention by a delegate vote of 39-33.

In 1985, delegates to Convention agreed to incorporate wording adapted from the LWVUS Hazardous Waste position into the state's Solid Waste position to give better visibility to the Missouri League's involvement in both solid and hazardous waste issues.

History of League Action

The League spearheaded action on Missouri's Hazardous Waste Management Law adopted in 1977 and monitored the formation of rules and regulations promulgated under the law. In 1985, League action centered around both hazardous waste and solid waste legislation. The League lobbied successfully for amendments to bring the Missouri law into compliance with the federal law, thereby enabling the state to manage its hazardous waste program. The League was unsuccessful in influencing the passage of strong solid waste legislation.

In subsequent years, the League continued to promote legislation that included requirements for closure and post-closure of land fills with financing by the owners; requirements that only counties with populations of twenty-five thousand or less be excluded from the planning for solid waste disposal; provisions for research into alternative methods for reuse, recycling and disposal of solid waste; protection of ground water; and funding for solid waste programs.

On July 9, 1990 Governor John Ashcroft signed Senate Bill 530 into law, thus moving the state into a new era of solid waste management. The sixty-five page act amended the Missouri Solid Waste Management Law. The intent was to decrease the volume of solid waste being generated for landfill disposal through statewide resource recovery cooperative systems. The act also encouraged regional planning for solid waste management. It established and funded a solid waste management fund, requiring the collection on site of a fee of \$1.50 per ton at sanitary landfills and a fee of \$1.00 per ton at demolition landfills.

The solid waste management fund is used to encourage recycling and waste reduction, to encourage market development for recyclable waste, and to stop illegal dumping. The act also banned from landfills whole tires, waste oil, major appliances, lead batteries, and yard waste.

Amendments to Missouri's Solid Waste Management Law have set a goal of 40% reduction, by weight, in the amount of solid waste disposed by the year 1998. Through the implementation of various solid waste management alternatives, Missourians can help to achieve this goal. Missouri's integrated waste management options are arranged in a hierarchy of desirability, beginning with waste reduction and concluding with incineration and land filling. Missouri Model Plan Guidelines for Comprehensive Solid Waste Management provides information to solid waste decision makers to assist them in developing programs.

NATURAL RESOURCES LAND USE AND GROWTH MANAGEMENT

Support for the adoption and implementation of long range land use plans and regulations by state, county and municipal governments which incorporate sound policy development based

upon the goals, needs and resources of each locale. Effective land use management requires adequate financing, involvement of professional planners and increased public information and participation.

STATEMENT OF POSITION

The League recognizes that land is a finite resource not a commodity, and that it should be used wisely. Planning should occur at the lowest level of government, although the League realizes that some problems will extend beyond local political boundaries. In those instances, growth management should occur among all affected jurisdictions.

The League supports:

Legislation to require local governments to exercise at least a minimum level of land use planning, as defined by statewide, uniform guidelines and procedures.

State assumption of responsibility in areas of critical concern, such as fragile or historical lands, aquifer recharge areas, flood plains, if local governments fail to regulate.

Regional bodies for planning and regulation of land in such areas as transportation, recreation, low and moderate income housing, water, sewer planning and solid waste facilities.

Land use plans, which encourage the efficient use of land and government services, including infrastructure.

State provision of clear authority and incentives for local governments to adopt innovative land use planning and growth management strategies in order to encourage urban revitalization, preservation of open space, and deter haphazard growth.

*State assistance to local government through technical assistance, data, information, and the authority to implement innovative measures to manage land use
Adequate mechanisms for public participation in land use planning and decisions, most importantly in setting policies and selection goals. Participation should be continuing and representative of the community as a whole. (Washington LWV)*

Impact statements and sound planning reports that analyze potential environmental, public health, social and economic impacts as a prerequisite for major public or private developments

Establishment of clear and effective system and process for the judicial review of local and regional land use issues and conflicts.

LWV Terminology for Growth Management

Agricultural District—usually means a zoning district that allows agricultural use and farm residence exclusively. Term also occasionally refers to an area set aside for agricultural use by a conservation or agricultural easement. See conservation easement.

Cluster Development—development that encourages density of residences, most commonly, or of other land uses, to be “clustered” together closely in certain parts of a development parcel in order that other more environmentally sensitive or important areas may be preserved in more pristine condition. Cluster development often requires modification of a zoning ordinance to allow higher densities in certain parts of a tract than might allowed “as of right” in that zoning district. Usually cluster development requires the approval of a specific site plan by the planning commission and/or city governing body.

Conservation easement—an easement, either permanent or for a specified number of years, granted by a property owner to restrict land use to low-intensity uses, such as conservation or agriculture; usually granted to local government or to a conservation organization. An easement is an interest in land that falls short of ownership. Grantors of permanent easements may be eligible for local property tax reductions, federal income tax deductions for charitable contributions, and estate tax reductions.

Conservation reserve—substantial land area set aside for conservation purposes, usually by a governmental unit. Uses commonly include environmental education as well as habitat preservation. Often the government serves only to acquire the reserve, with non-profit organization set up to manage and program activities for the reserve.

Enterprise zone—federally- designated area, usually in inner city locations, in need of economic revitalization. Business owners are given tax incentives for locating in these zones and for employing enterprise zone residents. Since the early 1990’s, newly designated enterprise zones have been called empowerment zones.

Environmental impact assessment—a report on environmental consequences of a proposed action that is less formal and less complete than a full-blown environmental impact statement, which often is hundreds of pages long. A competent environmental impact assessment will list effects of a proposed action on the environment, possible alternatives to the proposed action, short- and long-term consequences of the action, and irreparable harm that will result from the proposed action.

Impact fees—process of charging developers a fee for the impact of their development on public services. The fee is usually collected when a building permit is issued. Impact fees are calculated on the basis of establishing a rational connection between the proposed development and a written plan of anticipated capital improvements that will be required of a municipal or county government as growth occurs. Impact fees are calculated most often for roads and bridges, but public services such as libraries and schools also sometimes are supported partially through impact fees. The term impact fee is usually reserved for an actual cash payment, as opposed to the practice in some governmental jurisdictions of requiring a developer to install a road, turning lane, or other improvement at their own expense. Most legal experts believe that impact fees are not necessarily permitted under state laws that permit zoning, and that impact fees should be explicitly mentioned in state law for best legal protection of local governments that wish to impose such a fee.

Land trust—a voluntary private land conservation organization set up to protect natural values of undeveloped land. There are more than 1,200 nonprofit land trusts, which may protect land through donation and purchase, by working with landowners who wish to donate or sell conservation easements, or by acquiring land outright to maintain as open space.

TDD--- Transportation Development District---A special taxing district which is a quasi-governmental entity. It issues bonds pledged by an add-on sales tax of as high as 1 percent collected by retailers within the districts. Bond proceeds are used to fund road improvement projects connected with the developments, and the additional sales tax is used to repay the bonds. Once the court has approved the district deals with the road improvement contractors or in many cases works in cooperation with MODOT directly and the city or county is not involved.

ALSO RELATED TO FISCAL POLICY

TIF---Tax Increment Financing---Tax Increment Financing is a tool for the development or redevelopment of property. It is a method to facilitate the development or redevelopment of defined areas of property by utilizing future tax revenues to pay for some of the necessary improvements. TIF allows local officials to designate an area (“TIF District”) for improvement and then earmark any future growth in property tax revenues in that District to pay for the predetermined development expenditures there.

TIF captures incremental increases in tax revenues without any required change in the tax rates. As property values increase as a result of redevelopment, TIF enables the municipality to capture increased revenue and utilize it to pay for public improvements. Also is related to FISCAL POLICY.

Zoning—practice of a local government prescribing by ordinance and map the areas where particular land uses are allowed and also characteristics of the land uses, including required minimum lot sizes, lot frontage, setbacks, lot coverage, building height, placement of accessory buildings such as garages and sheds, and other such matters.

BACKGROUND - Land Use

Documentation of Position

The Missouri League's Land Use position defines the state role in land use management as expressed in a League of Women Voters of the United States consensus of 1975. The local Leagues were in strong agreement and in 1976; the State Board adopted the position statement. The current position statement was adopted in 2001.

History of League Action

The League's position on Land Use is usually integrated with other League positions when working with complex issues such as energy, the environment, water, access to recreational areas, or other issues that involve land use.

In 1986, acting under national and state Natural Resources positions, the League endorsed the state's plan to use a new federal law to acquire a 200 mile Missouri Katy Trail railroad right-of-way for conversion to a recreational trail. When trail opponents sued the state in an attempt to block the rail-to-trail proposal, the state League joined as an intervener on the side of the state. After three years of litigation, the U.S. Supreme Court upheld the constitutionality of the law and the state's position, clearing the way for development of the Katy Trail State Park. The overwhelmingly favorable public response to the opening of two pilot sections in 1990 prompted the Governor's decision to open the entire two hundred miles by 1993. As a member of the Katy Trail Coalition, the Missouri League continues to work for state funding sufficient to complete and maintain this beautiful hiking and bicycling trail.

Following the 1972 enactment of state legislation governing the surface mining of coal and the 1977 federal mining and land reclamation act, the LWVMO attentively monitored the enforcement of coal mining regulations by the state Land Reclamation

Commission and worked to strengthen permitting and land reclamation requirements.

Unlike coal mining regulation there was minimal regulation of industries which surface-mine industrial minerals such as limestone, clay, and barite. In mid-1987, the Commission appointed a nine-member task force to strengthen non-coal mining regulations. A LWVMO member experienced in mining regulation served as the citizen representative. The compromise legislation, which finally passed in 1990, reflected League concerns for improved public notification, larger performance bonds, time frames for reclamation work, and strengthened enforcement procedures to more adequately protect Missouri's land and water resources.

The LWVMO has also worked for regional land use planning where feasible, as in the successful advocacy of a regional approach to solid waste management in the landmark 1990 Missouri Solid Waste Management Law.

NATURAL RESOURCES WATER

Support of a comprehensive water policy, one that includes the public trust doctrine

STATEMENT OF POSITION

The League of Women Voters of Missouri believes:

State government should have the responsibility for developing a comprehensive water policy for Missouri. Such a policy should include the public trust doctrine in all decisions, recognizing the state's responsibility to hold water in trust for the benefit of the citizens of the state.*

The policy should also:

- *Recognize the interrelatedness of ground and surface water.*
- *Recognize the instream value of water.*
- *Recognize the benefits of water conservation.*
- *Specify that private rights shall be balanced with the public interest and that the public interest should take precedence in case of conflicts.*
- *Consider other states' water needs when planning on a watershed or basin basis.*

The goals of a state water policy should be to:

- *Assure availability of water for domestic use while maintaining minimum instream flow.*
- *Protect public health and minimize contamination of ground and surface water through appropriate waste (including waste water) management and through appropriate land use policies.*

- *Manage excess water and reduce pollution through strategies that include flood plain management, soil conservation techniques, and control of urban runoff.*

State water policy should consider agricultural development and industrial development but these should not be fostered at the expense of other interests.

Implementation of a state water policy requires:

- *Data sufficient to identify problems and to make and document decisions needed to meet water needs.*
- *Comprehensive water plan within which alternatives may be weighed and decisions made.*
- *Coordination and communication among state and local agencies and other concerned interests, including the public.*
- *Delegation of specific tasks and activities, with clear lines of responsibility and authority.*
- *An administrative mechanism for resolving disputes among competing interests.*
- *Funding adequate to assure responsible development and implementation of state water policy.*

**The public trust doctrine concerns certain property deemed to be held in trust by the state for public use, including the beds of navigable watercourses. Under the public trust doctrine, such streams "shall forever remain public highways" except for the overriding right of Congress to regulate commerce. The responsibility of the state as trustee of such property is the heart of the doctrine.*

BACKGROUND - Water Documentation of Position

Delegates to the 1983 state Convention adopted a study of Missouri's water needs relating to the Missouri River Basin area. The study of Missouri's water law and usage included, not only in-state, but also the Corps of Engineers management of the interstate flow of the Missouri and Mississippi Rivers. The study was completed and consensus reached in December 1984. The results were documented in the League publication Missouri's Water Resources: Issues and Options.

History of League Action

Water Resource Management has been on the League's national agenda since 1958. The Missouri League worked at the state level for improved water quality under the national position prior to its own study. A Missouri Water Resource Plan became law in 1989 after several earlier tries. Under that law the Missouri Department of Natural Resources (DNR) administers the Plan as a continuing process to maintain quality and quantity of state water resources "at the highest level practicable for present and future beneficial use". To do this, DNR identifies and ranks issues annually as the basis for budget requests.

Public participation in the planning process is required by the law. The Department is to develop an extensive data base to inventory usage and to monitor water quality. DNR represents the interests of the state in matters pertaining to the use of water from interstate rivers.

DNR has proposed regionalization of the Plan to better respond to the diverse hydrology of the state. A Southeast Missouri Regional Water District to be governed by a seven member water commission

was enabled by 1992 legislation. In the League's view, the legislation is flawed because the district is to be controlled by landowners, who are allocated one vote per acre owned. Other public interests are not included in the voting process.

The legislation allocates power to the water district commission to develop district water management plans in consultation with DNR and the State Water Plan Advisory Board. The Commission is required to cooperate in documenting usage and sources of water for irrigation. Additional management responsibilities and options are specified.

LWVMO and Cape Girardeau County were honored with the Ground Water Award for three years in a row.

SOCIAL POLICY EDUCATION

Support for equal opportunity in education, access to quality programs, and adequate financing

STATEMENT OF POSITION

The League of Women Voters of Missouri believes equality of opportunity in education is a state responsibility.

*Regarding the **source of funds** for public elementary and secondary education, the League supports:*

- *State funding of public elementary and secondary education to provide half to three-quarters of total costs.*
- *Decreased reliance on the local property tax for funding public education.*
- *Reducing to a simple majority the vote required to approve school tax increases and bond issues.*

*Regarding the **distribution of state funds** to local school districts, the League supports:*

Uniform property tax assessments and annual assessment ratio studies to assure that state aid is distributed on the basis of accurate measurements of school districts' property wealth.

A school foundation formula that helps equalize the financial ability of local districts to support schools, and which incorporates these factors:

- *Student count based on average daily membership (enrollment)*
- *Part time and summer school students counted on the basis of full time equivalency.*
- *Funding weighted to compensate for cost variances of educational programs.*
- *Elimination of permanent protective clauses, such as 'hold harmless' or 'grandfather', that build in disequalization.*
- *Equal yield for equal tax effort, wherein the state guarantees all school districts approximately the same amount of revenue per pupil for any given tax rate regardless of local property wealth.*
- *Local districts permitted to have tax levy higher than a statewide minimum.*
- *Equalization of funds at an adequate level of support throughout the state.*
- *Local control of school funds.*

Regarding other measures to equalize the quality and availability of education programs the League supports:

Comprehensive K-12 programs in every school district, accomplished through weighted funding, redrawing district lines, state requirements for receiving state funds, and other funding incentives.

Flexible education programs to meet individual needs, including:

- *Voluntary access for students to more than six daily class periods in all secondary schools*
- *Diplomas granted on the basis of achievement and/or credits earned without stipulation of length of attendance*
- *Summer courses provided in every district*
- *Optional early learning programs funded with state and local funds*

BACKGROUND - Education

Documentation of Position

The League of Women Voters of Missouri has long been concerned with the education system of the state and has completed three major studies:

- A study of elementary education and consensus in 1965.
- A study of constitutional limits on bonded indebtedness for schools and their effect on school construction, adopted by the 1969 convention with consensus reached in 1970.
- A study to reexamine school finance and to explore the availability of educational programs, adopted by the 1973 convention with consensus reached in 1974.

The position was amended when, at the recommendation of the State Board, delegates to the 1983 Convention voted to drop the following two items:

- "Broader access to funding for capital development through state aid for school construction on a per pupil basis considering local need and effort in relation to ability to pay, and access to revenues other than local property tax by school districts."
- "Coordination of plans for higher education."

Delegates to the 1991 State Convention voted to update members on the Education positions to prepare them to act appropriately in light of the growing movement to reshape the way Missouri's schools are funded. At the 1993 Convention, delegates voted for two studies: one on education with emphasis on the formula; the other on higher education.

History of League Action

The League has a history of sustained action on educational issues going back to 1967. League members have supported several proposals over the years aimed at reducing the majority required to approve school tax increases and bond issues. In 1988, we successfully supported a constitutional amendment that reduces to 4/7 (from 2/3) the majority required for approval of bond issues if the proposal is submitted at a general, primary, or municipal election. Efforts to reduce the majority required to approve property tax increases for schools have been unsuccessful, however.

League members took a prominent part in forging and promoting the school foundation formula enacted in 1977.

In 1982 the League unsuccessfully opposed Proposition C, a voter initiative that levied a one cent sales tax earmarked for schools and property tax relief. Opposition was based both on the sales tax position and on the fact that the Proposition C revenue was distributed on a per pupil basis instead of through the foundation formula, diluting the formula's equalizing effects.

In 1991, the League opposed Proposition B, a complex package of tax increases and reforms in higher education and public schools. Opposition was again based on the sales tax position as well as on our concerns about the measure's ambiguous provisions for distributing the new funds to school districts. The proposition was soundly defeated.

Meanwhile, for various reasons, including the disequalizing effects of Proposition C and the fact that the foundation program was underfunded, the old formula became increasingly unsuccessful at reducing disparities in spending between school districts. Dissatisfaction with the level of funding and the way state aid was distributed culminated in a court case brought by more than one hundred school districts challenging both the adequacy and the equity of state aid to schools.

In January 1993, Circuit Court Judge Byron Kinder ruled that "the Missouri school finance system at the level at which it is presently funded violates the provisions of ...the Missouri constitution." He declared "that the system for free public education which is established and maintained in Missouri must provide a child living in a poor school district the same opportunity to receive substantially the same education as a child living in a rich district, and that deviations from equality in the distribution of resources are not permissible except to provide resources either (a) to the least advantaged, or (b) for specially identified educational needs."

Judge Kinder ordered the General Assembly to enact a "constitutionally sufficient plan for funding public education in Missouri." The case was appealed to the State Supreme Court, but the legislature did not wait for the higher court to act. During the 1993 session it passed a comprehensive law that included major revisions in the formula and in requirements for districts to receive state aid. The tax code was amended to increase both corporate and individual income taxes, with the new revenue earmarked for schools. Also in the law was "The Outstanding Schools Act", adding twenty new sections concerning school reforms.

That was the atmosphere within which the League's State Convention, in June 1993, adopted a study of the finance formula. The lower court ruling was still on appeal to the Supreme Court. The complex act was brand new and yet to be interpreted and implemented. Dissenters were threatening legal challenges to parts of the act. Furthermore, many of its provisions were to be phased in over several years, with the formula changes becoming fully effective in 1996-97. League's positions fully supported the act's goals of equitable and adequate funding for schools.

CHARTER SCHOOLS

Charter Schools have been in operation in Missouri since the enabling legislation was passed in 1998. A new study was authorized by members at the 2005 state convention with study to be done by the 2007 convention. The League did not reach consensus in support of Charter schools; however, given the fact that Missouri law allows them to exist, we believe that they should ensure:

- Equality of opportunity in education, access to quality education and adequate financing should be available for students in charter schools as these are in traditional public schools.
- Charter school sponsors should have additional documented oversight responsibilities.
- Charter schools should be funded at the same rate per student as those in traditional public schools.
- Charter schools governance/operations should go through the same process of mediation as in traditional public schools.
- Charter schools should not become Local Educational Agencies.
- Charter schools should not be extended beyond those permitted in Missouri State Statutes as of December 2006.

SOCIAL POLICY POPULATION CONTROL

**Support state family planning programs and educational programs about family planning
including funding for these programs**

Adopted in 1988 by concurrence from Springfield-Greene County LWV

PUBLIC LIBRARIES

Statement of Position

Support of a public library system as a basic community service with a long-term assured, stable and adequate funding source

Support of access by all persons to public library services as a major source of knowledge and information necessary for informed, active participation in a democratic society

A two year study of the public library system in Missouri was voted at the 2003 state convention; at the 2005 convention the study was extended for another two years. Consensus was reached in 2007.

- A public library system is a basic community service.
- As a major source of knowledge and information necessary for informed, active participation in a democratic society, public library services should be accessible to all persons.

- It is the responsibilities of the Missouri State Library to take measures to provide library services in those parts of the state that do not have a tax supported public library.
- It is the responsibility of the Missouri State Library to facilitate and take measures to encourage cooperation among library districts.
- Long term, assured, stable and adequate funding should be available to public libraries.
- Public libraries should be funded by state, county, and local governments and other appropriate methods.
- The state should continue to fund library technologies such as MOREnet and increase the funding as needed.
- Public libraries should provide adequate hours of service, including evening and weekend hours.
- RSMO Section 182.480 defines municipal public library district boundaries as their 1965 positions. Annexation and population shifts over the intervening decades have added users to some libraries without increasing the tax base. LWVMO supports and recommends a broad-based objective review of the impact of this portion of the statute on library services in Missouri.

LEAGUE OF WOMEN VOTERS OF UNITED STATES

The following are brief statements of national league positions. To view these public policy positions in full with history, explanations and action taken on the national level by League of Women Voters of the United States please refer to the current publication called [Impact on Issues 2008-2010](#)

Under some of these policy positions, the League of Women Voters of Missouri has taken action and those explanations are written in here when they occur.

REPRESENTATIVE GOVERNMENT

Promote an open governmental system that is representative, accountable and responsive.

VOTING RIGHTS

Citizens Rights to Vote: Protect the right of all citizens to vote; encourage all citizens to vote.

[Action by League of Women Voters of Missouri](#)

History of the state League's action on Voting Rights is based on state and national positions and is described on page 16.

DC Self-Government and Full Voting Representation Secure for the citizens of the District of Columbia the rights of self-government and full voting representation in both houses of Congress.

Action by the League of Women Voters of Missouri

During the eighties and nineties when there was movement toward giving D.C. full voting rights, Missouri members lobbied both the Congress and representatives in the Missouri legislature to support the position.

ELECTION PROCESS

Apportionment Support apportionment of congressional districts and elected legislative bodies at all levels of government based substantially on population.

See also the position on Voting Rights, which applies to apportionment issues. Leagues applying the Apportionment position should be aware that the Voting Rights position (and League action supporting the Voting Rights Act) recognizes that both the Constitution and the Voting Rights Act require that reapportionment not dilute the effective representation of minority citizens.

Action by League of Women Voters of Missouri

History of the state League's action on apportionment is based on national and state positions and is described on page 11 under the heading, Legislative Reform.

Campaign Finance Improve methods of financing political campaigns in order to ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and promote citizen participation in the political process.

Action by League of Women Voters of Missouri

Action to reform Missouri's ineffective Campaign Finance Disclosure law became lively in the 1984 legislative session. The League supported, as a high priority, a bill to increase the enforcement powers of the Campaign Finance Review Board, require full and timely disclosure of campaign contributions and expenditures, and eliminate many minor offices and amounts from the law's filing requirements. The bill progressed through the legislative process in a roller coaster manner from crippling amendments, to strengthening amendments, to passage, to pocket veto, to resurrection and re-passage. Its final enactment in May 1985 was a major League success.

Missouri's campaign finance reporting law was amended in 1990. That legislation made it illegal to convert campaign funds to uses unrelated to one's campaign costs.

Campaign finance reform was a League priority during the 1993 legislative session but the relevant bills stalled in the Senate. In 1994, the State Board voted to oppose an initiative circulated by Missourians for Fair Elections. Opposition was based on the belief that the campaign finance reforms proposed in the initiative would be marginal. Instead, the League chose to work with the General Assembly to develop and refine effective campaign finance legislation.

In 1999, the League, in coalition with Missouri Association for Campaign Finance Reform succeeded, through a petition drive, in getting a proposal for public financing of election campaigns on the ballot. The proposal was defeated by the voters in the 2000 elections.

Selection of the President Promote the election of the president and Vice –President by direct-popular vote and work to abolish the Electoral College. Support uniform national voting qualifications and procedures for presidential elections. Support efforts to provide voters with sufficient information about candidates.

CITIZEN RIGHTS

Citizen's Right to Know/Citizen Participation. Protect the citizen's right to know and facilitate citizen participation in government decision making.

Action by League of Women Voters of Missouri

A citizen's right to know and citizens' participation in government decision making are integral to League principles and program. Action in support of the open meetings bill enacted in 1973 by the Missouri Legislature was taken under this national position.

In 1992 the League monitored legislation which would: clarify the Sunshine Act, extend coverage to committees appointed by and reporting to officials, cover written and electronically stored records, and change laws on disclosure and expunging of arrest records. Journalists encouraged changes especially in access to arrest records; however, after extensive House committee effort, the bill died in the Senate.

Also, the League used this position to present testimony in behalf of maintaining citizen participation and input on Missouri natural resource committees.

Concern that a democracy depends on broad citizen participation in government decision making is evident in the League's ongoing education and advocacy programs. One emphasizes education, providing the public with tools it needs to influence public policy on all issues whether or not they appear on the League agenda. The other stresses action to influence public policy on issues on which the League has positions.

Individual Liberties Oppose major threats to basic constitutional rights

Public Policy on Reproductive Choices Protect the constitutional right of privacy of the individual to make reproductive choices **STATEMENT OF POSITION** (Announced by National Board, January 1983)

Action by League of Women Voters of Missouri

The Missouri League, a member of the Freedom of Choice Council, worked with other organizations to educate the public about the Right to Privacy position and to defeat restrictive legislation. In 1983 members unsuccessfully opposed a bill that prohibits health insurance contracts in Missouri from providing coverage for elective abortions except by an optional rider for which a premium must be charged.

The League was more successful in 1985 with defeat of a bill that would have restricted the purposes for which a woman might have an abortion and the methods to be used.

The League of Women Voters of Missouri and League of Women Voters of the United States joined in an amicus brief to uphold a woman's right of privacy to make reproductive choices in the case of *Webster v. Reproductive Health Services*. In July 1989 the Supreme Court issued a decision in *Webster* that severely eroded a woman's right of privacy to choose abortion.

In the fall of 1989, the League of Women Voters of Missouri helped organize and became an active member of the Missouri Alliance for Choice, a statewide coalition of over forty organizations formed to protect a woman's right of privacy to make reproductive choices.

The 1992 Missouri legislative session passed, for the first time, state funding to support family planning. The League and Missouri Alliance for Choice were instrumental in eliminating restrictive anti-choice language from health care bill HB 564, passed in 1993. The state representatives continued to bring forth legislation aimed at Planned Parenthood's receiving funds for family planning. By 1997 there was still dissension in the legislature whether organizations that support reproductive choices should receive monies for family planning. In 1999, the League opposed HB 427, dealing with infanticide, vetoed by the governor. Later his veto was overridden the bill went to the courts where it was ruled it unconstitutional.

The goals remain:

- Block further restrictions.
- Increase state funding for family planning by \$2 million.
- Reverse restrictive provisions by
 - repealing the ban on use of public medical facilities,
 - loosening restrictions on use of public funding for abortions,
 - repealing restrictions on insurance coverage of abortions.
- Work on implementing reality based sex education in Missouri's public school system.
- Monitor implementation of state programs.

Congress and the Presidency

Congress Support responsive legislative processes characterized by accountability, representativeness, decision-making capability and effective performance

The Presidency Promote a dynamic balance of power between the executive and legislative branches within the framework set by the Constitution

INTERNATIONAL RELATIONS

Promote peace in an interdependent world by working cooperatively with other nations and strengthening international organizations.

United Nations Support a strong, effective United Nations to promote international peace and security and to address the social, economic and humanitarian needs of all people

Trade Support U.S. trade policies that reduce trade barriers, expand international trade and advance the achievement of humanitarian, environmental and social goals

Action by League of Women Voters of Missouri

Missouri plays a vital role in the total United States trade picture. Exports to other countries of Missouri agricultural products and manufactured goods contribute significantly to the economic vitality of the state. In 1980 the League produced and circulated a slide show describing Missouri's involvements in international trade and its effects on agriculture, business, and the life of its citizen. The League's aim was to promote public understanding of the benefits of a liberal trading system, and to be alert to efforts to hamper international trade through restrictive state legislation. U S League helped assure overwhelming passage of the Trade Agreements Act of 1979, The League strongly supported the Trade and International Economic Policy Reform Act of 1987 and worked to defeat

restrictive amendments. In the 90's many changes took place regarding trade on the national level and in this new century, the League continues to encourage Missouri to engage in international trade.

U.S. Relations with Developing Countries Promote U.S. policies that meet long-term economic needs of developing countries

Arms Control Reduce the risk of war through support of arms control measures

Military Policy and Defense Spending Work to limit reliance on military force. Examine defense spending in the context of total national needs

NATURAL RESOURCES

Promote an environment beneficial to life through the protection and wise management of natural resources in the public interest.

Promote the management of natural resources as interrelated part of life-supporting ecosystems

Resource Management Promote resource conservation, stewardship and long-range planning, with the responsibility for managing natural resources shared by all levels of government.

Environmental Protection and Pollution Control Preserve the physical, chemical and biological integrity of the ecosystem, with maximum protection of public health and the environment.

- **Air Quality.** Promote measures to reduce pollution from mobile and stationary sources.

STATEMENT OF POSITION (Adopted by National Board 1971)

- *Measures to reduce vehicular pollution, including inspection and maintenance of emission controls, changes in engine design and fuel types and development of more energy efficient transportation systems;*
- *Regulation and reduction of pollution from stationary sources;*
- *Regulation and reduction of ambient toxic-air pollutants;*
- *Measures to reduce trans-boundary air pollutants, such as ozone and those that cause acid deposition.*

Action by League of Women Voters of Missouri

All state action on air quality is taken under the national position. Since the position was adopted in 1971, the League has pressed for full implementation of the Clean Air Act. The League was also instrumental in the passage of the Clean Air Act Amendments of 1990. Often cooperating with other groups affiliated with the National Clean Air Coalition, the League has presented information on national and state clean air issues in a variety of ways, including radio and television, workshops, community fairs, power plant tours, and slide programs at colleges and public meetings.

The League has represented its position on Air Quality issues by serving on numerous state advisory groups and has testified for and against legislation before the Missouri Air Conservation Commission and various House committees and subcommittees. The League's goal is to encourage strict

regulations to limit emissions from stationary and mobile sources, and to monitor industry compliance, as well as state enforcement.

In the past, the League has been supportive of bills to implement inspection and maintenance programs to reduce auto emissions as well as Stage II vapor recovery facilities at gasoline stations. The League will continue to support additional measures which will reduce volatile organic compound emissions and bring St. Louis into compliance with the National Ambient Air Quality Standards in the coming years. The League will also continue to support any programs to prevent the deterioration of air quality in clean air regions of the state.

The League supported implementation of a state program that issues operating and construction permits for sources of air pollution and also supported legislation that passed in 1988 to allow the Missouri Air Pollution Program to collect fees for permit reviews to offset their staffing costs. In 2004 the League opposed legislation that would have diverted those fees for other purposes. Currently, officials face the challenge of developing a State Implementation Plan that will reduce ground-level ozone pollution in the St. Louis metropolitan region by mid-2008 and enable the area to attain the national ozone standard by 2010.

- **Energy.** Support environmentally sound policies that reduce energy growth rates, emphasize energy conservation and encourage the use of renewable resources.

STATEMENT OF POSITION (Adopted by National Board 1975 and revised 1978)

The League supports:

- *Energy goals and policies that acknowledge the United States as a responsible member of the world community.*
- *Reduction of energy growth rates.*
- *Use of a variety of energy sources, with emphasis on conserving energy and using energy-efficient technologies.*
- *The environmentally sound use of energy resources, with consideration of the entire cycle of energy production.*
- *Predominant reliance on renewable resources.*
- *Policies that limit reliance on nuclear fission.*
- *Action by appropriate levels of government to encourage the use of renewable Resources and energy conservation through funding for research and development,*
- *Financial incentives, rate-setting policies and mandatory standards.*
- *Mandatory energy conservation measures, including thermal standards for building efficiency, new appliance standards and standards for new automobiles with no relaxation of auto-emission control requirements.*
- *Policies to reduce energy demand and minimize the need for new generating capacity through techniques such as marginal cost or peak-load pricing or demand management programs;*
- *Maintaining deregulation of oil and natural gas prices.*
- *Assistance for low-income individuals when energy policies bear unduly on the poor.*

Action by League of Women Voters of Missouri

The Missouri League has been actively working to advance the League's national energy positions since their adoption in 1975 and 1978. The League of Women Voters of Missouri participated on task forces, which developed Missouri's first Energy Conservation Plan and the Residential Conservation Service Plan. The League produced pamphlets and a slide program

to build public support for energy efficiency standards for buildings, weatherization programs for low-income families, and the use of solar energy design to reduce energy consumption.

The state League also took action in the early 1980's under the nuclear energy guidelines when it appointed a committee to evaluate the need for the Callaway nuclear power plant. Subsequently, the League formally opposed completion of the second unit, which was later dismantled. In the mid-eighties the League of Women Voters of Missouri supported Missouri's membership in the seven state Midwest Low Level Radioactive Waste Compact in 1983 and helped shape the regional management plan for Low Level Radioactive Waste which aimed to protect human health and the environment and ensure meaningful public participation throughout the siting, construction and operation of the disposal facility. Until 1991, a League member was appointed by the Governor to represent the public on the state Low Level Radioactive Waste Advisory Committee. Due to the unexpected reopening of a disposal facility in South Carolina in 1997, the Compact Commission suspended efforts to site a regional LLRW facility.

A grant from the national League of Women Voters Educational Fund in 1984 enabled the League to undertake a ten-month public education project focusing on electric power issues. Assisted by representatives of electric utilities, state government, and various business and citizen groups, the League conducted day-long forums in Kansas City and St. Louis and produced informative fact sheets on electric power in Missouri.

The threat of global warming prompted renewed interest in energy efficiency and renewable energy sources, offering the League new opportunities to advance its energy positions. In workshops, articles and public testimony, the League of Women Voters of Missouri has emphasized the links between energy efficiency, pollution reduction, and a sound economy.

For example, at a hearing of the United Nations Conference on Environment and Development (1992) that preceded Earth Summit in Rio. The League urged U.S. adoption of policies and programs to advance the efficient use of energy and renewable energy sources. The 1991 report of the Missouri Global Climate Change Commission incorporates energy information and policy actions proposed by the League. The League was also involved in development of the 1992 Missouri State Energy Plan. These two comprehensive reports contain information to facilitate energy action at the local as well as at the state level.

During 1992 the League of Women Voters of Missouri also participated in the development of a Public Service Commission rule, which requires regulated electric utilities to evaluate demand reduction programs (such as customer rebates for purchase of high efficiency air conditioners) on the same basis as new generating facilities to ensure the delivery of electricity at lowest cost.

In recent years energy efficiency legislation was a high priority for the League of Women Voters of Missouri. The League's active support helped establish a revolving loan program to assist school districts finance energy efficiency measures. In 1991 the League helped shape and pass ground-breaking legislation which requires new state vehicles to meet minimum fuel economy standards and sets deadlines for the purchase of vehicles using alternative fuels.

In 1993 another milestone was achieved with the passage of legislation which set minimum energy standards for new and renovated state buildings and authorizes the use of state revenue bonds to finance cost-effective retrofitting projects in existing state facilities.

To facilitate community action on energy efficiency, the League's State Board provided mini-grants to local Leagues to conduct educational projects during 1993-94. The projects range from brochures on energy-efficient lighting and home appliances to displays at libraries and community fairs.

In 2001, the LWVMO presented testimony before the Governor's Energy Policy Task Force, in support of state measures to increase energy efficiency and renewable energy sources, such as net metering and a minimum renewable energy requirement for electric utilities, as well as urging delay of utility deregulation. These became part of the Task Force recommendations to the Governor.

That same year the League helped organize the Missouri Clean Energy Coalition to coordinate the efforts of groups with similar energy goals. Coalition lobbying helped to pass legislation in 2002 which improved the state building efficiency law and the state energy loan program.

At Senate hearings in 2002 and 2003 the League and other groups opposed the deregulation of Missouri's electric utilities due to concern about the potential impact on residential energy bills. The proposal failed and has not been revived. In 2003 the League assisted the Dept. of Natural Resources in presenting a statewide conference, Growing the Rural Economy with Renewable Energy."

In 2005 LWVMO helped draft and lobbied for a Renewable Energy Standard (RES) that would require electric utilities statewide to generate or purchase part of their electric supply from renewable sources. In 2007 a substitute measure passed instead setting voluntary renewable energy targets. Attached to that legislation was a net metering bill that LWVMO supported; it enables owners of renewable energy systems statewide to receive full credit for the excess power they return to the grid; it also facilitates the application process.

Following the LWVUS's call for action on global warming in November 2006, LWVMO urged local leagues to study this issue and take action locally to reduce greenhouse gasses. LWVMO Fall Conference 2007 included an inspiring presentation, "Climate Change, Global Warming and the Science Behind it," by biology professor Wendy Anderson, and resource packets to spur local action. ENERGY UPDATE 2009 - The successful passage of a Renewable Energy Standard (RES) by a 66% favorable vote on Nov. 4, 2008 was celebrated by League members and allied groups who collected signatures and worked to pass the ballot initiative. The RES requires Missouri's utility companies to supply 15% of their electricity from renewable sources by 2021. A Missouri RES had been a LWVMO priority since 2000.

Early in 2009 LWVMO joined the Pew Climate Group and other organizations in the on-line campaign, Show Me Your Solutions, to showcase green projects in Missouri communities and show Missouri's state and national policymakers the many benefits of greenhouse gas reduction policies. Of the many green bills offered during the 2009 legislative session, only a few passed. One was a landmark bill supported by LWVMO that requires the PSC to value utility investments in energy efficiency the same as investments in new supply. Utility companies will now be able to recover the cost of energy efficiency programs offered customers, if the programs show actual savings. Federal stimulus funds targeted for energy efficiency projects will complement legislative successes. A controversial utility proposal to allow utilities to charge customers for plant construction costs before

the facility is complete and producing electricity drew widespread public opposition and died on the calendar.

- **Land Use.** Promote policies that manage land as a finite resource and that incorporate principles of stewardship.

STATEMENT OF POSITION (Adopted by National Board 1975 after a three year study Affirmed by 1986 Convention)

The League supports:

- *Management of land as a finite resource not as a commodity, since land ownership, whether public or private, carries responsibility for stewardship*
- *Land-use planning that reflects conservation and wise management of resources; Identification and regulation of areas of critical concern:*
- *Fragile or historical lands, where development could result in irreversible damage (such as shore lands of rivers, lakes and streams, estuaries and bays; rare or valuable ecosystems and geological formations; significant wildlife habitats; unique scenic or historic areas; wetlands; deserts);*
- *Renewable resource lands, where development could result in the loss of productivity (such as watersheds, aquifers and aquifer recharge areas, significant agricultural and grazing lands, forest lands);*
- *Natural hazard lands, where development could endanger life and property (such as floodplains, areas with high seismic or volcanic activity, areas of unstable geologic, ice or snow formations);*
- *Reclamation of lands damaged by surface mining, waste disposal, overgrazing, timber harvesting, farming and other activities;*
- *Acquisition of land for public use;*
- *Identification and regulation of areas impacted by public or investment where siting results in secondary environmental and socioeconomic impacts;*
- *Review of environmental, social and economic impacts of major public and private developments;*
- *Review of federally funded projects by all government levels;*
- *Conformance of federal land resource activities with approved state programs, particularly where state standards are more stringent than federal standards.*

Action by League of Women Voters of Missouri

See page 35 for history of state League action based on state and national positions

- **Water Resources.** Support measures to reduce pollution in order to protect surface water, groundwater and drinking water.

STATEMENT OF POSITION (Adopted by National Board 1958; Rephrased 1960; Affirmed by 1986 Convention based on positions reached 1958-1986)

The League supports:

- *Water resource programs and policies that reflect the interrelationships of water quality, water quantity, groundwater and surface water and that address the potential depletion or pollution of water supplies.;*

- *Measures to reduce water pollution from direct point-source discharges and from indirect non-point sources;;*
 - *Policies to achieve water quality essential for maintaining species diversity and populations of aquatic species, including measures to protect lakes estuaries, wetlands and in-stream flows;*
 - *Stringent controls to protect the quality of current and potential drinking-water supplies, including protection of watersheds for surface supplies and of recharge areas for groundwater.*
- *Proposed Interbasin Water Transfers*
Interstate and interbasin transfers are not new or unusual. Water transfers have served municipal supplies, industry, energy development and agriculture.
- *Construction costs of large-scale water transfers are high, and economic losses in the basin of origin may also be high. Environmental costs of water transfers may include quantitative and qualitative changes in wetlands and related fisheries and wildlife, diminished aquifer recharge and reduced stream flows. Lowered water tables also may affect groundwater quality and cause land subsidence.*
 - *As we look to the future, water transfer decisions will need to incorporate the high costs of moving water, the limited availability of unallocated water and our still limited knowledge of impacts on the affected ecosystems.*
 - *In order to develop member understanding and agreement on proposals for large-scale water transfer projects, state and local Leagues need to work together. The following guidelines are designed to help Leagues jointly evaluate new proposals for large-scale water transfers.*
 - *The process for evaluating the suitability of new proposed interbasin water transfers should include:*
 - *Ample and effective opportunities for informed public participation in the formulation and analysis of proposed projects;*
 - *Evaluation of economic, social and environmental impacts in the basin of origin, the receiving area and any area through which the diversion must pass, so that decision makers and the public have adequate information on which to base a decision;*
 - *Examination of all short- and long-term economic costs including, but not limited to, construction, delivery, operation, maintenance and market interest rate;*
 - *Examination of alternative supply options, such as water conservation, water pricing and reclamation.*

Action by League of Women Voters of Missouri

Significant progress in support of safe drinking water and water resource management was achieved in 1989 in omnibus legislation. The State Water Plan is described on pages 31-32, under Water. Missouri's drinking water program was brought into agreement with the federal Safe Drinking Water Law of 1986 by provisions for more frequent testing, expansion of the number of contaminants to be monitored, publication of an annual census of public water systems stating levels of contaminants found, and a ban on lead materials in the construction of public water systems or buildings connected to public water systems. In 1992, a fee system to fund the state drinking water testing program was

adopted. The League's survey of drinking water systems statewide provided a strong factual base for committee hearing testimony on these proposals.

The League acted in support of water quality control in 1988-89 when a \$225 million bond issue for construction of wastewater systems, storm water control, and improvements to drinking water systems was proposed, and ultimately adopted by the voters. The League lobbied for another revenue measure in 1990, the creation of a state revolving loan fund. The state loan fund replaced federal/state grants as a source of assistance to localities for construction of water pollution control projects. While the state's pollution control responsibilities expanded, revenue did not. The League joined other environmental organizations in support of a system of fees charged for permits to construct and operate sewage treatment facilities. This was also adopted in 1990.

The League supported legislation which passed to better regulate well drilling and underground storage tanks to preserve groundwater quality.

Sustained attention to funding is necessary. For example, the General Assembly has failed for two years to authorize the sale of \$20 million in state bonds to be used for rural water and sewer loans and grants. A \$225 million bond issue was then approved by the voters in 1989. These bonds were to be authorized for sale incrementally over a ten year period.

Another issue is stricter regulation by the Health Department of on-site sewage disposal systems. The League supported several unsuccessful bills in the nineties.

Other avenues for League action include service on the Drinking Water Commission and state advisory committees, comment on state regulations prior to adoption, and lobbying for levels of funding and staffing required to implement Missouri's Water Plan and Clean Water programs. The League works in coalition with other supportive organizations to inform the public and government officials about ballot issues, legislation, or proposed regulations.

- **Waste Management** Promote policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes.

STATEMENT OF POSITION (Adopted by National Board 1973 Affirmed and expanded 1990)

The League supports:

- *Policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes;*
- *Policies to ensure safe treatment, transportation, storage and disposal of solid and hazardous wastes in order to protect public health and air, water and land resources;*
- *Planning and decision making processes that recognize suitable solid and hazardous wastes as potential resources.*
- *Full environmental review of treatment, storage and disposal facilities for radioactive wastes;*
- *Safe transport, storage and disposal of radioactive wastes.*

The following criteria are derived from the League's Natural Resources positions. They were developed to assist state and local Leagues in reviewing specific waste disposal sites and to help state and local Leagues evaluate both the process employed in site selection and the suitability of a

proposed site or hazardous and radioactive waste treatment, storage and disposal facilities. This decision-making process should provide for:

- *Ample and effective opportunities for public participation, including funding to conduct such participation;*
- *Evaluation of economic, social and environmental impacts so that decision makers and the public have adequate information on which to base a decision. In addition to the actual site, secondary land use impacts - such as buffer areas, adequacy of roads, sewers, water, etc. - should be considered.*
- *An examination of alternative sites and methods of treatment and disposal. Comparison of costs must include short- and long-term costs, such as liability insurance, post closure maintenance, monitoring of ground and surface waters and air before and after closure, and potential loss of land or water resources due to contamination;*
- *Participation and review by all government levels to assure conformance with all adopted comprehensive plans at each level of government;*
- *Procedures for resolution of intergovernmental conflicts.*

Action by League of Women Voters of Missouri

The state League's action on waste management is based on national and state positions and is described under the heading Hazardous and Solid Waste. Action on radioactive waste management is under Energy.

This position was used most recently in Missouri in the late 1980's through the 2000s, with the study, and then subsequent disposal of radioactive waste and World War II munitions material at the Weldon Spring site in St. Charles County by Department of Energy. Testimony was given regarding League views by Lenore Loeb, energy chair on the disposal of materials and member, Elaine Blodgett, St. Charles, was appointed to the Weldon Spring Citizen's Board to oversee clean up of the site in the 1990's.

- **Nuclear Issues** Promote the maximum protection of public health and safety and the environment.

National Position

- *Hazardous and radioactive waste treatment, storage or disposal facilities should be sited in areas that pose the least amount of risk to the public and to sensitive environmental areas. They should be located away from areas of critical concern such as:*
 - *Natural hazard areas subject to flooding, earthquakes, volcanoes, hurricanes or subsidence.*
 - *Drinking water supply sources, such as reservoirs, lakes and rivers and their watersheds and aquifers and their recharge areas.*
 - *Fragile land areas, such as shorelines of rivers, lakes, streams, oceans and estuaries, bays or wetlands.*
 - *Rare or valuable ecosystems or geologic formations, significant wildlife habitat or unique scenic or historic areas.*
 - *Areas with significant renewable resource value, such as prime agricultural lands or grazing and forest lands that would be destroyed as a result of the siting of hazardous waste facilities.*
 - *Residential areas, parks and schools.*

Public Participation

Promote public understanding and participation in decision making as essential elements of responsible and responsive management of our natural resources.

Agricultural Policy

Promote adequate supplies of food and fiber at reasonable prices to consumers and support economically viable farms, environmentally sound farm practices and increased reliance on the free market.

SOCIAL POLICY

Secure equal rights and equal opportunity for all. Promote social and economic justice and the health and safety of all Americans.

Equality of Opportunity

STATEMENT OF POSITION Announced by National Board in 1966; Revised in 1989 and 1992

Equal Rights Support ratification of the Equal Rights Amendment and efforts to bring laws into compliance with the goals of the ERA.

Action by League of Women Voters of Missouri

The League joined the Missouri Equal Rights Amendment Coalition, and worked for ratification of ERA in Missouri until the deadline for ratification expired. After the national League's ERA position was expanded as a basis to bring laws into compliance with the goals of ERA, the Missouri League worked for legislation to remove inappropriate gender-related language from the law, eliminate sex discrimination in pensions and insurance, and promote the concept of pay equity. The League continues to work for the passage and ratification of the Equal Rights Amendment.

Education, Employment and Housing Support equal access to education, employment and Housing.

Action by League of Women Voters of Missouri

The Missouri League's action on human rights began as early as 1941, when members began to work for repeal of the constitutional provision requiring racial segregation in public schools. The Missouri League's Human Rights positions enabled it to act on legislation concerning the Missouri Commission on Human Rights in 1949, public accommodations in 1960, and fair employment in 1961. A 1963 consensus extended the position to encompass fair housing issues.

In 1966 the national League adopted positions supporting equality of opportunity - first in education and employment, and later expanded to include housing, welfare reform, and equality of opportunity for women and Indians. Because the national League positions incorporated all the positions held by the Missouri League, the state Human Rights position was dropped with the understanding that action would be continued under the national position.

Believing that state government has the responsibility to assure that all Missouri residents have equal access to housing, education, employment, and public accommodations, the Missouri League has supported policies to strengthen human rights commissions at both the state and local levels. The League has also looked to the state government to provide a more adequate standard of payments for

welfare recipients and has worked for other changes to make the welfare system more responsive to the needs of recipients.

Members have devoted considerable effort at both the state and local levels to achieve peaceful desegregation in the public schools, and to encourage other measures to equalize access to quality educational programs across the state.

Fiscal Policy

Tax Policy. Support adequate and flexible funding of federal government programs through an equitable tax system that is progressive overall and that relies primarily on a broad-based income tax.

STATEMENT OF POSITION: Adopted by 1984 Convention and announced by National Board March 1985, January 1986, and June 1986.

LWVUS believes that the federal tax system should:

- *Provide adequate resources for government programs while allowing flexibility for financing future program changes*
- *Be understandable to the taxpayer and encourage compliance*
- *Accomplish its objectives without creating undue administrative problems.*

The League of Women Voters of the United States believes that the federal tax system, taken as a whole, should be progressive, not proportional.

The League:

- *Supports income as the major tax base for federal revenues.*
- *Believes that the federal income tax should be broad-based with minimal tax preferences and a progressive rate structure*
- *Opposes a value-added tax or a national sales tax in the federal revenue system.*

Further Guidelines

Under this position, the League of Women Voters would support tax measures that broaden the base and improve the equity of the income tax while working to incorporate progressivity into the tax system, taken as a whole. In evaluating specific tax preferences, the League will use the following criteria:

- *Whether the tax preference promotes equity and progressivity*
- *Whether the tax preference effectively furthers League of Women Voters program goals*
- *Whether the tax preference is the most efficient means of achieving its purpose*
- *Whether the revenue loss from the tax preference is justifiable.*
- *Federal Deficit. Promote responsible deficit policies.*

The government also should achieve whatever savings possible through improved efficiency and management. The League opposes across-the-board federal spending cuts.

The League recognizes that deficit spending is sometimes appropriate and therefore opposes a constitutionally mandated balanced budget for the federal government. The League could support deficit spending, if necessary, for stimulating the economy during recession and depression, meeting social needs in times of high unemployment and meeting defense needs in times of national security crises. The League opposes a federal budget line-item veto.

Federal Deficit Promote responsible deficit policies

Funding of Entitlements Support a federal role in providing mandatory, universal, old-age, survivors, disability and health insurance.

Federal deficit reduction should not be achieved by reducing social security benefits.

Action by League of Women Voters of Missouri .

Missouri League works on state legislative issues using both state and national positions. See Fiscal Policy under LWVMO for actions taken.

Health Care

Promote a health care system for the United States that provides access to a basic level of quality care for all U.S. residents and controls health care costs.

STATEMENT OF POSITION Announced by National Board, April 1993

The League of Women Voters of the United States believes that a basic level of quality health care at an affordable cost should be available to all U.S. residents. Other U.S. health care policy goals should include the equitable distribution of services, efficient and economical delivery of care, advancement of medical research and technology and a reasonable total national expenditure level for health care.

BASIC LEVEL OF QUALITY CARE

Every U.S. resident should have access to a basic level of quality care that includes the prevention of disease, health promotion and education, primary care (including prenatal and reproductive health), acute care, long-term care and mental health care. Dental, vision and hearing care also are important but lower in priority. The League believes that under any system of health care reform, consumers/patients should be permitted to purchase services or insurance coverage beyond the basic level.

FINANCING AND ADMINISTRATION

The League favors a national health insurance plan financed through general taxes in place of individual insurance premiums. As the United States moves toward a national health insurance plan, an employer-based system of health care reform that provides universal access is acceptable to the League. The League supports administration of the U.S. health care system either by a combination of the private and public sectors or by a combination of federal, state and/or regional government agencies.

The League is opposed to a strictly private market-based model of financing the health care system. The League also is opposed to the administration of the health care system solely by the private sector or the states.

TAXES

The League supports increased taxes to finance a basic level of health care for all U.S. residents, provided health care reform contains effective cost control strategies.

COST CONTROL

The League believes that efficient and economical delivery of care can be enhanced by such cost control methods as:

- *the reduction of administrative costs*
- *regional planning for the allocation of personnel, facilities and equipment*
- *the establishment of maximum levels of public reimbursement to providers*
malpractice reform
- *the use of managed care*

- *utilization review of treatment*
- *mandatory second opinions before surgery or extensive treatment*
- *consumer accountability through deductibles and copayments*

EQUITY ISSUES

The League believes that health care services could be more equitably distributed by:

- *allocating medical resources to underserved areas*
- *providing for training health care professionals in needed fields of care*
- *standardizing basic levels of service for publicly funded health care programs*
- *requiring insurance programs to use community rating instead of experience rating*
- *establishing insurance pools for small businesses and organizations*

ALLOCATION OF RESOURCES TO INDIVIDUALS

The League believes that the ability of a patient to pay for service should not be a consideration in the allocation of health care resources. Limited resources should be allocated based on the following criteria considered together: the urgency of the medical condition, the life expectancy of the patient, the expected outcome of the treatment, the cost of the procedure, the duration of care, the quality of life of the patient after treatment, and the wishes of the patient and the family.

Action by League of Women Voters of Missouri

Shortly after the National Board adopted the Meeting Basic Human Needs position (1988), the League of Women Voters of Missouri had the opportunity to become involved in the issue of availability of health insurance in the state. There was a documented need: one in five Missourians were uninsured or under-insured; that is, three hundred thousand Missourians under the age of sixty-five years had inadequate health insurance.

Proposed legislation to meet this need had failed in the Legislature in the previous three years. When the Legislature was not responsive to the problem, the issue was carried directly to the people of the state in the nature of an initiative petition to amend the Constitution. The required number of signatures was secured and the proposed amendment, called MedAssist, was placed on the ballot. MedAssist would have created the "Missouri Health Care Trust," a state government-owned insurance company which would have had the powers of a private-sector insurance company and would have made insurance available to families who could not afford a private insurance plan or who were not covered by health insurance through employment.

Individuals who were rejected by insurance companies because of chronic illnesses such as cancer, heart disease, diabetes, etc. could have also purchased health insurance. All Missourians were to be covered by the catastrophic health insurance pool. It was to be financed with a tax of sixth-tenths of one percent on earnings.

Missouri's attempt to provide universal health care to its citizens through MedAssist was badly defeated at the voting booths. Last minute lobbying tactics of arguing that the program would make Missouri the AIDS capitol of the world, tax the savings and pensions of older people, and create a monster bureaucracy to consume even greater resources and provide no additional service made the voter uncomfortable.

Even though the proposal went down in defeat, the League, because of its level of participation, became recognized for its expertise in the area of health care and for the interest in the issue shown by League members throughout the state. The Missouri League of Women Voters participated in media events with other political and community leaders and numerous community groups requested the League to present information on the proposed constitutional amendment.

The state League has taken an active role in health care issues in Missouri since the League of Women Voters of the United States announced the National Health Care position early in 1992.

Since the ill-fated MedAssist, each bill the League has supported has passed and each bill the League opposed has failed. The bills were incremental in nature and include: opposition to placing mothers of "crack babies," that is, mothers addicted to illicit drugs who deliver addicted babies, into the judicial system as an alternative to medical care; support for state insurance pool for uninsurable persons; support for programs to feed hungry children (School Breakfast Program SB 449 - 1992); support for establishing voluntary insurance pools for small employers (SB796 - 1992); and, opposition to the legalization of lay mid-wifery (HB855 - 1993). Missouri was one of the earlier states to propose a single-pay health care reform bill but the state League did not lobby the issue because we did not have a position on the financing of health care at that time. The League did take part by providing information, both pro and con, to our members, to our elected officials, and to the public at large.

In 1993, a major health reform bill (HB 564), although not providing for universal health care, greatly increased access to health care for Missourians, especially children. This bill contained most of the benefits that were in the MedAssist amendment of 1988. But, the most controversial part of HB 564 was the association of health care with schools and the concern by the anti-choice supporters that abortion and contraceptive services would become common place in the schools. Missouri saw previously immovable forces negotiating to get this bill passed. There was general agreement that this was important legislation and individual agendas must be set aside temporarily. The state League took the lead in demonstrating that there could be negotiation between the issues of reproductive choice and health care. The League has positions on both issues but no ranking of priority.

Access to affordable, quality health care continues to be one of League's highest priorities. In the nineteen nineties, LWVMO focused on both health and mental health and took a major advocacy roll centered around Blue Cross Blue Shield, which was successful and resulted in the Missouri Foundation for Health. (See Appendix) In 2004 and 2005, League lobbied successfully for mental health parity, suicide prevention, and protection of childhood immunizations. All bills passed in spite of major state budget cuts, including Medicaid.

In 2005, SB39 emerged as key legislation in establishing the Medicaid Reform Commission. After two years of study and recommendation by the commission and two years of negotiation and compromise by the legislature, SB577 was signed into law and became effective on August 28, 2007. SB577 was the beginning of a restructured medical assistance program, MO HealthNet, to promote the health prevention model and restore certain benefits. League participated actively, based on our positions. Reauthorization of the State Children's Health Insurance Program (SCHIP), which League supports, remains unresolved. A Continuing Resolution keeps SCHIP going while Congress and the President struggle to find a compromise.

Reform in Missouri's mental health system was parallel during this period. Legislation to prevent resident abuse and neglect was passed (SB3); a fourteen million dollar federal grant for reform was

received; the Transformation Working Group for mental health was appointed; and certain benefits were restored in MO HealthNet. League supported this action.

LWVMO will continue to monitor health reform in Missouri, to take legislative action when appropriate, and to encourage local leagues to work with us in assessing the impact of MO HealthNet on their counties. A new initiative by the Governor, entitled Insure Missouri, was launched on September 18, 2007 to supplement MO HealthNet and accommodate low income, uninsured workers. This initiative did not pass.

Universal health care remains one of League's top priorities but legislation, filed each year, has not received sufficient support in Jefferson City and has not advanced beyond committee.

BLUE CROSS BLUE SHIELD

A major advocacy project in the history of the League of Women Voters of Missouri dealt the issue of Blue Cross Blue Shield of Missouri's moving from a not-for-profit to a for profit entity. From 1995 to 2000, for more than five years, the LWVMO provided leadership and played a constant and significant role in protecting the public's interest when Blue Cross Blue Shield of Missouri (Blue Cross) converted from not for profit to for profit all the while denying they owed a public debt. (see appendix for more details and the role Director Rachel Farr Fitch, PH.D. took in this project.)

Health Care 2009 Update -Federal stimulus monies, unique to 2009, have helped to partially restore cuts in Missouri's health and social service budgets. Appropriation bills, the public voice (including LWVMO), and organizations such as Missouri Foundation for Health and the Missouri Hospital Association have also helped. The State Children's Health Insurance Plan (SCHIP) has been reauthorized - although not expanded -and Mental Health Parity is now federal law.

But much remains to be settled. Universal health care, needs of low-income, uninsured workers, insurance coverage of the Autism Spectrum Disorders, and full funding of the Department of Mental Health remain. The Insure Missouri plan from 2008, noted above, and the Show-Me Health Coverage plan from 2009, both accommodating low income, uninsured workers, have yet to pass.

Diverging philosophies between the state and the private market, between social justice for all and the personal responsibility/prevention models will keep these matters before us. League action will continue. League positions will be our guide.

Immigration Promote reunification of immediate families; meet the economic, business and employment needs of the United States; be responsive to those facing political persecution or humanitarian crises; and provide for student visas. Ensure fair treatment under the law for all persons. In transition to a reformed system, support provisions for unauthorized immigrants already in the country to earn legal status.

Meeting Basic Human Needs Support programs and policies to prevent or reduce poverty and to promote self-sufficiency for individuals and families.

- **Income Assistance.** Support income assistance programs, based on need, that provide decent, adequate standards for food, clothing and shelter.
- **Support Services.** Provide for essential support services.
- **Housing Supply.** Support policies to provide a decent home and a suitable living environment for every American Family.

STATEMENT OF POSITION (As revised by National Board, January 1989, based on positions reached from 1971 through 1988)

- *The responsibility for achieving national housing goals rests primarily with the federal government, which should:*
 - a. *assure that our economic system is functioning to produce and maintain sufficient decent housing for citizens at all income levels;*
 - b. *compensate for any failure or inadequacy of the system by building, financing, renting and selling homes to those citizens whose housing needs are not being met;*
 - c. *give a variety of incentives to local jurisdictions to encourage them to provide within their boundaries an adequate supply of decent housing for low and moderate-income groups;*
 - d. *withhold federal funds from communities that fail to encourage such housing.*

- *State and local governments should assist by establishing effective agencies to aid promote, coordinate and supplement the housing programs of the federal government and the private sector.*
 - *Government at all levels must make available sufficient funds for housing-assistance programs.*
 - *When families or individuals cannot afford decent housing, government should provide assistance in the form of income and/or subsidized housing.*
 - *Government programs providing subsidies to the building, financing and insuring industries for housing for lower-income families should be evaluated in terms of units produced rather than in terms of benefits accruing to these industries.*

Government at all levels should develop policies that will assure sufficient land at reasonable cost on which to develop housing and that will assure fulfillment of other goals such as access to employment, preservation of open space, environmental cleanliness and beauty, and other aspects of a suitable living environment.

- *Regional and metropolitan planning should be promoted to prevent haphazard urban growth, and housing for low and moderate-income families should be provided as a part of all planned neighborhoods or communities.*
- *Lower-income families should not be segregated in large developments or neighborhoods. As their economic status improves, lower-income families should be enabled to continue to live in the same units as private tenants or as homeowners, if they are so inclined.*
- *Housing should be designed to meet human needs and should be built with amenities that will encourage economic integration within apartment buildings as well as within neighborhoods.*
- *Publicly assisted housing should be included in viable, balanced communities, with provision for quality public services and facilities, including schools, transportation, recreation, etc., that will encourage integration and stability.*
- *Zoning practices and procedures that will counteract racial and economic isolation should be promoted.*
- *State and local governments should adopt and enforce:*
 - a. *uniform building codes with standards based on performance;*
 - b. *housing codes to protect the health and safety of all citizens.*
- *State and local tax structures should be examined and revised to:*

- a. benefit communities that build housing for lower-income families;
 - b. encourage private owners to improve their homes;
 - c. reduce speculative land costs.
- Government, industry and labor should encourage innovative building techniques to reduce the cost of housing production.
- Rights of tenants to negotiate for proper maintenance, management of facilities and services should be protected.
- Housing programs should be administered by individuals trained for the jobs and sympathetic with the needs of their clientele.
- Citizen groups should participate in the development of publicly assisted housing programs by:
 - a. evaluating performance;
 - b. activating nonprofit sponsorships;
 - c. supporting legislation;
 - d. developing public awareness of housing discrimination and need.

Action by League of Women Voters of Missouri

Recent efforts to increase the supply of low income housing in Missouri have been frustrated by federal and state policies. Availability of low cost market rate units, particularly large family units, is inadequate due to deterioration and abandonment. In addition, many urban renewal efforts which improve the quality of neighborhoods raise housing costs and remove affordable units for low income families.

The League of Women Voters of Missouri's legislative involvement in addressing the lack of affordable housing and homelessness, now increasing at an alarming rate, has been focused on proposed legislation to establish a state housing trust fund. Such legislation was passed in 1992 only to be vetoed by the governor. A housing trust fund bill was again introduced in 1993 with less success than the previous year; it did not come out of committee even though the newly elected Governor had stated, in a speech before the April 1993 statewide conference on Affordable Housing and Homelessness, that he would sign the bill if it were passed by the Legislature. (The League was a co-sponsor and helped organize this conference.)

A housing trust fund would establish a permanent renewable source of money to alleviate the problems associated with the lack of affordable housing and homelessness. The trust fund could be spent on a wide variety of housing needs including rent subsidies, construction and rehabilitation, emergency aid to prevent homelessness, homeless shelters, and soon.

We are continuing our efforts to establish a housing trust fund. The League is represented on the Comprehensive Housing Affordability Strategy Working Committee of the Missouri Housing Development Corporation. This committee identifies the availability of housing resources statewide and identifies the needs of low income families and the homeless. Through a process that includes input from municipalities, counties, other geographic regions, citizens and special interest groups, the committee establishes policies to allocate state resources accordingly.

In an effort to determine an accurate homeless count in the state, The Missouri Housing Development Corporation has contracted for that count with the Missouri Association of Social Welfare Low Income Housing Task Force, of which the League is an active member.

The League continues efforts to pass a Missouri Housing Trust Fund bill.

Child Care Support programs and policies to expand the supply of affordable, quality child care for all who need it.

STATEMENT OF POSITION Adopted by the 1988 Convention, based on positions reached from 1969 through 1988.

Action by League of Women Voters of Missouri

The state League has worked on several fronts to improve the welfare of children in Missouri using both state and national positions. In 1993, after a seventeen year effort, Missouri has a law requiring health and safety inspections of child care facilities; this had been a priority issue of the League for many years.

The state League has supported reform in Missouri which sought to make child care accessible to all those in need. The state League worked with the national League to support the Act for Better Child Care by providing educational programs to our members and to the public.

LWVMO action during the 2004 Legislative session included support for legislation prohibiting immunizations containing mercury derivatives. This legislation was filibustered out of passing late on the final day of the session.

In 2005, SB74, also prohibiting mercury derivatives in childhood immunizations was supported and lobbied for by LWVMO and was passed and signed into law by Governor Blunt.

Other legislative efforts supported in 2005 and 2006 were bills requiring various child restraints in motor vehicles based on age, weight and height; and a bill that would create a crime of distribution and possession of a prescription medication without valid prescription by a juvenile on public school grounds.

The state League has been very active in promoting improved health care for families; we have sponsored and cosponsored numerous health care seminars and lobbied extensively on the issues.

Early Intervention for Children at Risk Support policies and programs that promote the well-being, development and safety of all children.

Violence Prevention

Support violence prevention programs in communities.

Adopted at the 1994 Convention from concurrence positions developed by several state leagues

Statement of Position:

Public and private development and coordination of programs that emphasize the primary prevention of violence
Active role of government and social institutions in preventing violent behavior
Allocation of public monies in government programs to prevent violence.

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.

STATEMENT OF POSITION Adopted by 1990 Convention.

The League of Women Voters of the United States believes that the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens.

The League supports licensing procedures for gun ownership by private citizens to include a waiting period for background check, personal identity verification, gun safety education and annual license renewal. The license fee should be adequate to bear the cost of education and verification.

The League supports a ban on "Saturday night specials," enforcement of strict penalties for the improper possession of and crimes committed with handguns and assault weapons, and allocation of resources to better regulate and monitor gun dealers.

Action by League of Women Voters of Missouri

The Missouri League has used the national position on gun control to oppose bills which would allow persons to obtain a permit to carry a concealed weapon. In the 1990's League helped to organize the Coalition Against Concealed Guns, a state-wide organization opposed to concealed weapons.

After many years of bills being introduced into the legislature, changes in the legislature led to a concealed weapons bill which passed in September 2003 over the Governor's veto in July of that year.

Urban Policy

Promote the economic health of cities and improve the quality of urban life.

Statement of Position, June 1979 and revised 1989

***Economic Development Assistance.** The cornerstone of a national urban policy is a commitment to helping cities achieve economic strength. Federal programs to encourage private reinvestment in central cities should counter an eroding tax base and provide jobs for the inner-city unemployed.*

***General Financial Assistance.** Support for a variety of federal strategies, including direct general assistance, targeted to distressed cities.*

Death Penalty The LWVUS supports the abolition of the death penalty.

Transportation. NO LONGER A SEPARATE NATIONAL POSITION

LWVUS believes that energy-efficient and environmentally sound transportation systems should afford better access to housing and jobs and will continue to examine transportation policies in light of these goals.

STATEMENT OF POSITION

Part of the Basic Human Needs Position revised by the National Board in January 1989, based on positions reached from 1971 through 1988.

Action by League of Women Voters of Missouri

The Missouri League advocates a balanced transportation system, integrating highway demands with other modes of transportation. The League supports allocation of highway funds for mass transit and incentives for vanpooling and carpooling programs. The League has supported proposals to amend the constitution in order to permit using taxes on motor fuels for purposes other than the construction and maintenance of highways and bridges.

Appendix:

Blue Cross-Blue Shield

In 1994, Blue Cross received expedited approval from the Missouri Department of Insurance to reorganize and create a for profit entity, RightChoice Managed Care Incorporated. At this point, Blue Cross transferred approximately 90% of its assets to RightChoice. In August 1994 Blue Cross publicly traded 19.5% of RightChoice stock and kept 81.5%. Blue Cross denied it owed a public debt for its 60 years as a not-for-profit organization in which it was exempt from state taxes and enjoyed numerous consumer protection statutes. In 1995 the League and other consumer groups argued that even though the Department of Insurance had approved the reorganization, it was a “conversion to for profit” and urged state regulators to protect the public assets in Blue Cross. Consumers argued that Blue Cross should be required to transfer their not-for-profit assets to a non profit foundation dedicated to charitable health purposes.

The LWVMO monitored the negotiations between Blue Cross and the Governor. When the Governor was unable to negotiate a reasonable payment from Blue Cross in 1996, the LWVMO wrote legislation (SB 997) asking the Legislature to require Blue Cross to honor its public benefit obligation. Senator Jet Banks introduced the bill and it was voted out of committee. At that point in time, Blue Cross broke off all negotiations with the Governor and filed a law suit against the State. The State followed with Countersuits. Consumer response to the Blue Cross restructuring centered in a new state-wide coalition, Missouri Consumer Health Care WATCH. The original fifty member organizations signed statements of concern urging the state to aggressively collect the debt that Blue Cross owed the public and to dedicate those funds to charitable health purposes. Shortly there after, Rachel Farr Fitch, Director for Health Issues for the Missouri League of Women Voters was named Chairman of the Missouri Consumer Health Care WATCH and the coalition grew in membership to include more than ninety organizations representing over a million Missourians.

This issue was also of national interest because other Blue Cross organizations across the country were talking of converting. The leadership of the Missouri Consumer Health Care WATCH developed working relationships with national and state professional and business groups and worked closely with state and national media sources. The League joined other consumer groups by participating as *amici curiae* (friends of the court)

On December 30, 1996, Circuit Court Judge, Thomas J. Brown III ruled against Blue Cross. Blue Cross appealed and on August 4, 1998, the Missouri Court of Appeals Western District, affirmed the Circuit Court’s ruling that Blue Cross violated State law by shifting most of its assets to RightChoice, its for-profit subsidiary.

Blue Cross appealed to the Missouri Supreme Court and during the time the case was pending before the high court, the parties negotiated a settlement agreement on September 20, 1998. On November 4, 1998, The Circuit Court judge appointed Robert G. Russell “Special Master” to review the settlement agreement. The “Special Master” invited *amici curiae*” to participate extensively in all hearings on the proposed settlement agreement, which did not have the endorsement of the Missouri Consumer Health Care WATCH coalition. The “Special Master” directed the parties to meet and confer with the WATCH coalition to address problems with the original settlement. The parties and consumers reached an amended settlement on March 12, 1999 which satisfied the concerns of the consumer groups. On March 19, 1999 The Amended Settlement Agreement was further amended and was known as the Modified Settlement Agreement. On October 8, 1999 the “Special Master” filed his SECOND REPORT in which he recommended Judge Brown, Circuit Court Judge, reject the Modified Settlement Agreement. On December 9, 1999, The Missouri Supreme Court of Missouri ruled that court approval of the settlement agreement was not required.

A Blue Cross press release of January 6, 2000 states, “The settlement had the support of more than 90 public interest groups representing more than one million Missourians and established the Missouri Foundation for Health which assumed ownership of Blue Cross’ assets. The foundation received over one billion dollars from the sale of RightChoice shares. The cost of the four-year litigation and the amount of Blue Cross funds that went to pay attorney fees were hidden from the public because the settlement agreement was between the Attorney General and Blue Cross Blue Shield of Missouri and was considered a private business agreement.

**THE LEAGUE OF WOMEN VOTERS IS THE
ORGANIZATION WHERE HANDS-ON WORK TO
SAFEGUARD DEMOCRACY LEADS TO CIVIC
IMPROVEMENT.**



**THE LEAGUE OF WOMEN VOTERS OF MISSOURI
8706 Manchester Road Suite 104, St. Louis, MO. 63144
Phone: 314-961-6869 FAX: 314-961-8393**

Email: league@lwvmissouri.org

Web Site: www.lwvmissouri.org