



LEGISLATIVE BULLETIN

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LEAGUE OF WOMEN VOTERS OF MISSOURI

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HEALTH AND MENTAL HEALTH – Lael Von Holt

The League of Women Voters' position on Health includes Mental Health as a major component, and we can rightfully be encouraged by passage of the Wellstone and Domenici Mental Health Parity and Addiction Act of 2008 (federal level). Access to mental health services should improve for many Missourians. Access to children's services should also improve with the State Children's Health Insurance Program (SCHIP), **HR2**, which was just signed by President Obama on February 4, 2009.

At the same time, we're hearing about a statewide crisis in mental health. Budgets are down, services curtailed, and beds are limited. MO HealthNet does not meet demand. Federal dollars, pending in Congress, may help meet that demand. Privatization of state services, while controversial, may also help. League will monitor state legislative action for universal health, mental health and children's health, Medicaid, neurodevelopmental disorder of autism, electronic medical records and physician prescription authority.

Senator Joan Bray has again sponsored Universal Health Assurance, **SB 18**, which was heard in the Senate Progress and Development Committee on February 4. Priority legislation for the Autism Spectrum Disorders includes **HB 76** (Lampe) and **HB 79** (Lampe), both strengthening insurance coverage; **SB 167** (Rupp) which requires insurance coverage, and **SB 157** (Schmitt) which codifies five regional autism centers and establishes a parent advisory council. A hearing is scheduled on February 10 in the Senate Health, Mental Health, Seniors and Families Committee

Missouri's Medicaid program MO HealthNet, is currently in budget deliberation, but the outlook is in doubt. Those federal dollars will be essential. Legislation, concurrent with budget, includes **SB 9** (Champion) regarding the addition of a mental health professional to the Oversight Committee. This bill is now on the Consent Calendar for February 5. **SB 170** (Shoemyer) expands membership on the Oversight Committee. **SB 77** (Stouffer) adds coverage for comprehensive daycare. **HB 395** (Nance) provides transfer grants for long-term healthcare and **HB 52** (Hodges) expands insurance coverage past age 18 for Down syndrome children. As the session progresses, this broad field will narrow.

ENERGY – Win Colwill

This topic has attracted the attention of many legislators this session. Construction Work in Progress (CWIP) legislation is the energy issue garnering the most publicity. Similar CWIP bills have been introduced in both the Senate and the House; **SB 228** will be heard on February 10.

SB 228 (Scott), the “Missouri Clean and Renewable Energy Construction Act” would enable electric corporations to bill customers for the costs of financing and constructing certain types of power plants while the plant is under construction. Eligible facilities include nuclear, coal plants that minimize carbon emissions and plants generated by renewable sources, such as wind, solar and biomass. This bill would, in effect, repeal a law passed by voters in 1976 which prohibits utilities from billing customers for construction costs until the plant is producing power. The bill provides that the Public Service Commission (PSC) can disallow any construction cost that is shown during a rate hearing to be imprudent. Upon completion of the plant, the PSC shall audit the company’s finances; any over or under recovery of costs will be credited or charged, respectively, to the customers. The act restricts courts from hearing any matter over which the PSC has jurisdiction. A hearing is scheduled at 3:00 p.m. on February 10 in the Senate Lounge for the Commerce, Consumer Protection, Energy and the Environment Committee. **HB 554** (Emery), similar but not identical to **SB 228**, is not yet assigned to committee.

Two bills that offer financial incentives for renewable energy systems had hearings this week. **SB 173** (Green), called the “Renewable Energy Generation Grant Program,” would award grants to homeowners for the purchase and installation of renewable energy systems, such as solar and wind. Grants would be subject to appropriations and limited to 80% of cost or \$10,000, whichever is less. The cumulative amount cannot exceed \$5 million per year. (The grant, when combined with the 30% federal tax credit would markedly reduce the cost of solar energy systems). A hearing was held in the Government Accountability and Fiscal Oversight Committee on February 5.

HB 35 (Sater) provides that, after January 1, 2010, taxpayers would be allowed a tax deduction for installing fuel cell or photovoltaic energy systems in their residences. The deduction for fuel cell property is 50% of the purchase price or \$1,000, whichever is less. The deduction for PV systems is 50% of the purchase price or \$4,000, whichever is less. A hearing was held on February 5 in the Ways and Means Committee.

Five other bills designed to encourage energy efficiency or renewable energy have been introduced by Rep. Beth Low but have not yet been assigned to a committee.

DEATH PENALTY – Sydell Shayer

A death penalty moratorium bill has been introduced in the House by Rep. Bill Deeken (**HB 484**). It places a moratorium on all executions until January 1, 2012, with an effective date of August 8, 2009. Although it has not been scheduled for a hearing yet, it has gotten some publicity in a recent article by the sponsor in the St. Louis Post Dispatch.

HB 484 has 68 sponsors. Rep. Deeken, who, in principle, supports the death penalty, believes there should be a study of all aspects of the death penalty as administered in the state. It would include criteria used by prosecutors, attorney competence, evidence used, counsel resources, cost, interest of victim’s family, and more. He points to the three men who received the death

penalty in Missouri who have been exonerated since 1973. Serious concerns about the death penalty in Missouri have been expressed as one-third of Missouri's death sentences have been reversed because of errors. A bill is expected to be introduced in the Senate soon.

The League supports abolition of the death penalty and believes that starting with a moratorium and concurrent study is the most realistic course to follow. League has signed a Moratorium Resolution.

TAX ISSUES

HB 64 (Lipke) was heard in the House Ways and Means Committee on January 29. It would reduce the top bracket of Missouri's state income tax from 6% to 5%, reduce or eliminate taxes on the lower income brackets and increase allowable deduction for federal income taxes paid. The bill's fiscal note indicates a reduction of state revenues by \$102 million per year, but the fiscal note radically underestimates the true impact of the bill, which would permanently reduce state revenues by at least \$1 billion per year.

League opposes this bill, as it would make the state's tax policy less fair, less adequate and less sustainable. In a session where the legislature is facing a difficult budgeting process due to declining state revenues, this bill would significantly compound the budget shortfall and require even more permanent cuts to state services.

The House Tax Reform Committee heard several bills on February 4. **HB 87** (Wallace) exempts motor fuel purchased for school buses from the state motor fuel tax. One might support this bill since it eliminates the inefficiency of imposing a tax on a publicly funded entity. **HB 112** (Munzlinger) is essentially the same. **HB 348** (Parkinson) offers a state income tax deduction for home schooling expenses. The fairness of such a proposal in singling out only home schooling expenses should cause concern as should the impact on the adequacy and equity of state revenues that support funding of our public schools.

The House Ways and Means Committee heard **HB 178** (Stevenson) on February 5. It phases out the Missouri corporate income tax. This measure will ultimately reduce state revenues significantly, perhaps by as much as \$350 million per year. Missouri already has the lowest effective corporate income tax rate in the country, relative to the federal corporate tax on corporate activity allocated to our state—among the 46 states that actually have a corporate income tax. Corporations benefit from public investments and public services in Missouri just as individual citizens do, and it is only fair that corporations doing business in Missouri also help support those investments. League opposes any unfair tax change that undermines the revenue that supports public services (such as education and health care) that Missourians need.

An income tax revision bill has been filed in the house by Rep. Jeanette Mott Oxford and in the Senate by Sen. Joan Bray, both of St. Louis. Rep. Oxford points out that the highest tax bracket for individuals in Missouri starts at \$9,000 a year, an amount set in 1931 and not revised since. This bill would raise the state's highest income tax bracket, allow taxpayers making less than \$50,000 to receive a tax cut and levy higher taxes on Missouri's wealthiest citizens. Rep. Oxford estimates 60% of Missourians would pay less in income tax than they do currently. The top 40% of income taxpayers would see an increase of less than half of 1% while the wealthiest 1% (those with incomes of over a million dollars), would see an increase of about 2%. Don't count on this

bill seeing the light of day (or even the floor of the House) but it is definitely a conversation starter.

EDUCATION

The Senate Education Committee met on February 4 to hear two bills, including **SB 64** (Rupp) regarding charter schools. The bill makes several changes in current law, including expanding access to charter schools to districts outside of St. Louis and Kansas City and expanding the list of those eligible to sponsor charter schools. League has studied charter schools and opposes expansion at this time. No charter schools are currently meeting Adequate Yearly Progress, and League is concerned about accountability.

HCS/HB 242 (Kingery) has already been voted out of committee. It authorizes local school districts to schedule a four-day school week. Concern has been expressed that such a change could result in fewer total hours of instruction for students.

CHILDREN

SB 4 (Shields) was heard in committee on February 3. Sponsored by the President Pro Tem of the Senate it should hopefully “get legs” this year. **SB 4** establishes a quality rating system for childcare facilities, similar to the 1-5-star ratings for hotels. League supports this effort to evaluate programs and provide parents with information that will improve the quality of early childcare and education programs across the state.

EQUAL RIGHTS AMENDMENT

The Senate Rules Committee heard **SCR 3** (Justus) on February 3. The Senate Concurrent Resolution (SCR) would ratify the Equal Rights Amendment to the U.S. Constitution. Currently, 35 of the required 38 states have ratified the amendment. League supports this measure to assure that equal rights under the law should not be abridged on the basis of gender. One cannot have much faith that this SCR will move forward in this current legislature, but we should thank Sen. Justus for keeping the issue alive until we have a more friendly legislature.

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