



2010

masw

legislative update



May 20, 2010

End of Session Wrap-Up

MASW Policy Priorities – Outcomes Measured

Quality Healthcare

All people in Missouri should have access to affordable, quality health care, including mental health services, through fully funded state implementation of national healthcare reform. Programs affecting the health of Missourians, such as Medicaid, CHIP, Food Stamps and other nutrition services, should be expanded to the fullest extent possible.

“Rejection” of Federal Reform Sent to Voters

Hoisting the ignoble, discredited banner of interposition and nullification, the Missouri legislature adopted a measure which purports to prevent implementation of the new federal Patient Protection & Affordable Care Act within the borders of Missouri.

Unless successfully challenged in court – which it well may be – this proposition will appear on the ballot this August.

MASW opposes this bill ([SS/SCS/HCS HB 1764](#)), and will urge the voters to reject it. [More on Healthcare, page 2...](#)

[Decent Housing – page 2...](#)

[Fair Treatment – page 3...](#)

[Shared Prosperity – page 5...](#)

MASW Accomplished Much, Despite Toxic Public Policy Year

As Missouri’s Voice for Social Justice, MASW helped defeat several truly horrifying proposals in this year’s session of the Missouri legislature.

We even saw something we support pass!

But mostly we bore witness to the bitter truth that we have been right for the many years we have begged policy makers to increase taxes on those of us who make a better-than-average living, shouting that inadequate state revenue inevitably leads to a lower quality life for all Missourians – and unquantifiable misery for the least-well-off among us.

At our 109th Annual Conference last fall, our members adopted four policy priorities for 2010: Quality Healthcare, Decent Housing, Fair Treatment, and Shared Prosperity.

In this wrap-up of the 2010 session of the Missouri legislature, we look at the measures MASW supported and opposed, based on these priorities, and take measurement of the outcomes.

To help craft our 2011 priorities, be active in one of our [Task Forces](#), and attend our [110th Annual Conference](#), November 4th and 5th.

Quality Healthcare, continued...

Waiver of Lifetime Food Stamp Ban Did Not Advance as Far as in 2009

Last year, [Sen. Yvonne Wilson](#) had the opportunity to debate – on the Senate floor – her bill to have Missouri waive the lifetime ban on federal food stamp eligibility for persons with a drug felony on their record.

Unfortunately, this year [SB 612](#) did not come out of committee. MASW testified in favor at the hearing, but the committee took no further action.

[MASW supported SB 612 based on two of our four priorities; we've listed it with Quality Healthcare, but it is also Fair Treatment.]

Decent Housing.

All people in Missouri should have access to affordable, decent housing, as well as access to services such as temporary and emergency shelter. Revenue for the Missouri Housing Trust Fund must be increased. Priorities should include ending predatory lending, promoting fair housing, enhancing housing opportunities for those receiving mental health services and those re-entering from the corrections system, and providing access to good schools for children who are homeless.

Universal Design Bill Has Hearing

[HB 1737](#), sponsored by [Rep. Rachel Storch](#), would set design standards for rehabilitation and/or new construction of affordable housing to include “universal design” principles

MASW testified in favor of this bill before the House Senior Citizen Advocacy Committee, but the bill was never voted on by the panel.

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Decent Housing, continued...

Predatory Lending Reform Killed in Series of Procedural Maneuvers

[Rep. Mary Still](#) continued her efforts to enact real protections against predatory lending practices of the payday loan industry, despite seeing her bill in 2009 killed by the Speaker of the House, who refused to assign it to a committee until the last day of session.

This year, Rep. Still and some of her colleagues held unofficial hearings of their own on this issue; MASW testified in favor of the kind of predatory lending protection most other states have already enacted.

The Speaker finally assigned this year's bill, [HB 2116](#) to committee, but rather than hold a public hearing on it, the committee instead held an “information session” to allow lobbyists for the payday loan industry to tout the benefits of their clients.

Supporters of the bill countered with a little used provision of the Missouri constitution which empowers legislators to remove a bill from committee and place it directly on the calendar for floor debate, if at least one-third of the members sign a discharge petition.

However, once HB 2116 was on the calendar, the Floor Leader never gave the opportunity to take it up for debate, and so it died. *[This bill also in MASW's Shared Prosperity.]*

Housing Trust Fund: No Action This Year

After being voted on in both chambers in 2009 (but not passed into law), the proposal to increase the fee which is the revenue source for the Missouri Housing Trust Fund was introduced but withdrawn ([HB 1267](#)) and an alternative for voluntary donations to the fund was not assigned to committee until the last day of session ([HB 2157](#)).

Fair Treatment

All people in Missouri should be treated with dignity and fairness. It is a fundamental element of the common good to extend a helping hand to those who are too often made to feel unwelcome – those subjected to discrimination, those re-entering society from the corrections system, and those who were born in other nations. The state should protect all people from exploitation and injustice, and teach children in our schools how to value others and resolve differences through non-violent means.

English-Only Driver Test Fails

Xenophobia continued its epic battle with taxophobia to be Missouri's official state phobia as [Rep. Cynthia Davis](#) persuaded the House Committee on International Trade & Immigration to vote her [HB 1231](#) "Do Pass."

The bill would require state driver license tests be printed only in English, with no translation assistance permitted. MASW testimony against the bill echoed that of Missouri Immigrant & Refugee Advocates (MIRA) that proficiency in written English is not necessary for safe operation of a motor vehicle.

Most House bills must go before the Rules Committee to be placed on the calendar for debate on the floor, and it is in that committee that this bill died a quiet death.

Human Rights Commission Survives

[SB 852](#) would have compromised the ability of the Missouri Commission on Human Rights to enforce anti-discrimination laws and jeopardized its federal funding. MASW testified against it before it was voted "Do Pass" in committee, but, despite some debate on the Senate floor, it never came to a vote and died on the Informal Calendar.

Fair Treatment, continued...

Photo ID for Voters Passed in House, Dies in Senate Committee

It never ceases to amaze, that legislators who profess a world view of which a core component is the need to make government less intrusive, do not see the inherent contradiction in pursuing requirements that people obtain a government-issued birth certificate in order to obtain a government-issued photo identification card in order to exercise their constitutional right to vote.

This year's proposition to make it harder to vote – harder for the elderly, those with disabilities or economic circumstances which prevent them from having (or needing) a driver's license – was [HJR 64](#), to scale back the protection of voting rights in the Missouri constitution, and its companion change in statute, [HB 1966](#), to require photo ID.

These paired measures marched through the House, members of the majority party voting in lock step, and were voted "Do Pass" by the relevant Senate committee. (MASW testified against in committee on both the House and Senate sides.)

This anti-voting rights effort died when both measures became stuck in the Senate committee that reviews the cost of legislation.

Failed: Drug Tests for TANF

[HB 1377](#) would require drug tests for TANF recipients who looked or acted suspiciously. Along the way it was amended to also require drug tests for legislators, whether they acted suspiciously or not *{insert your own joke here}*.

It passed the House – 39 brave Representatives saw past the sloganeering and voted "no" – but never even had a hearing in the Senate committee, where it died.

Fair Treatment, continued...

State DREAM Act Heard in Committee

[Sen. Jolie Justus](#) presented [SB 783](#) to the Senate Education Committee in February. MASW joined many other groups supporting this measure.

Missouri high school graduates, who lack proper paperwork to be in the United States because their parents or other relatives brought them here as infants or young children, could attend public colleges for in-state tuition under the bill.

No action was taken by the committee.

Truman, Lincoln Still Honored With State Holidays – for Now

Faced with a budget deficit of half a billion dollars for the Fiscal Year 2011, which starts this July 1, and perhaps a billion dollars or more in deficit for FY 2012, state leaders came up with the idea to eliminate two holidays which are unique to employees of the state of Missouri – those honoring President Abraham Lincoln & President Harry Truman.

The average salary of employees of the state of Missouri ranks 50th among the 50 states. One of the reasons to give them holidays other people may not get is to make some small amends for the indisputable fact that they are chronically underpaid.

It means the most to those who work in our prisons, hospitals, and other 24/7 institutions because an extra holiday or two means over time pay; they work those days anyway.

[SS#2/HB 1268](#) would have taken this small benefit, worth about \$2 million, away from our state employees. This was added late in the session in the Senate, and the House did not consider the bill again, so it died. *[MASW opposition based on two priorities: Fair Treatment and Shared Prosperity.]*

Fair Treatment, continued...

“Arizona-Lite” Bill Introduced Late in Session, Heard in Committee

[Rep. Mark Parkinson](#), who has been quoted in the news media praising the new anti-immigrant law enacted in Arizona, introduced [HB 2449](#) on April 1, and it was heard in committee just two weeks prior to the end of this year’s legislative session.

MASW joined with MIRA and several other groups to testify against this sweeping attempt to criminalize acting as a Good Samaritan to a fellow human being who happens to lack the paperwork required for being in the United States.

The bill did not go anywhere this year, but we expect measures of this ilk to be introduced early in next year’s session, unless the U.S. Congress enacts real reform of our current, broken immigration laws.

Death Penalty Moratorium Fell Far Short of 2009 Legislative Benchmarks

Last year the concept of a moratorium on executions, while a special panel studies the death penalty system in Missouri, was debated on the floor of both chambers of our legislature, and was even voted on in the House (it lost, but we had a vote).

The sponsors introduced moratorium bills again this year – [Rep. Bill Deeken](#), [HB 1683](#), and [Sen. Jolie Justus](#), [SB 930](#) – but neither bill even had a hearing.

As with many issues on which MASW advocates, 2010 was a more difficult year than was 2009. Key external factors are the horrid state fiscal picture (more on that below) and the fact that this is an election year. Candidate for re-election or for higher office often put their moral courage, and a sizable portion of their brains, into storage in election years.

Shared Prosperity

All people in Missouri should share in the prosperity of our society and pay their fair share of the cost of maintaining and enhancing the physical and human infrastructure that makes prosperity possible. Public policy should enable people, including those living in poverty, to acquire a quality education, to accumulate assets, and to earn their way to greater prosperity.

Sen. Justus Wins One for the Kids!

For years, MASW has supported efforts to improve our state's child care subsidy program, so that working parents with low incomes can continue to work and know their children have quality care.

In past years, [Sen. Jolie Justus](#) has introduced bills to enact this needed policy change, but to no avail.

This year, she added the child care subsidy language in the Senate to [HB 2290](#) on the second-to-last day of the session. The bill went back to the House, which passed it with Sen. Justus' provisions intact, and now it only needs [Governor Jay Nixon's](#) signature to become law.

Really, the House Passed a Limit on State Spending – Senate Let it Die

One would be justified in thinking this item is a spoof, akin to what one would find in the online pages of *The Onion* or the TV news satire hosted by Jon Stewart.

But this really happened. Facing a budget that is billions of dollars short of truly meeting the needs of the people of Missouri, and half a billion below even the meager target set by the Governor earlier in the year, they passed a [constitutional change](#) (opposed by MASW) to further limit state spending!

The Senate smiled politely, shook its head a bit, and let it die in committee.

Biggest Sales Tax Increase in History Debated in Senate, Allowed to Die

The cult-like devotion of proponents of what they call "The Fair Tax" is frightening to behold. Most of them really believe that given a choice between living in South Dakota and living in Hawaii, most people would choose South Dakota because that state imposes no income tax, but Hawaii does.

Last year, this insane proposal marched right through the House, but was allowed to die in a Senate committee. This year, the Senate version, [SJR 29](#), was voted "Do Pass" and sent to the full Senate for debate.

Before it died on the Informal Calendar – and it did die – two of the main arguments advanced by proponents were exposed for the lies that they are.

First, sponsors always claim it is "revenue neutral" – the new sales tax will give the state just as much money as the income and business taxes it repeals. When independent calculations proved the sales tax rate would need to be 11% or more, sponsors responded by capping the new rate at 7%.

Second, acolytes for "The Fair Tax" wax poetic about the beautiful simplicity of their proposal. Unlike the messy income tax, the new sales-tax-only system will have NO EXEMPTIONS!

Set aside the fact that SJR 29 exempts all purchases by corporations from paying any sales tax – that's the biggest exemption possible, and makes proponents' claim a lie all by itself.

Rather, consider what the sponsors did during the course of Senate debate to try to win more votes to pass their bill. Just as those of us opposed to the plan have said all along that they would do, they began loading it up with exemptions.

Shared Prosperity, continued...

Tax Justice Proposal Given a Respectful Hearing in House Committee

[Rep. Jeanette Mott Oxford](#) presented [HB 2034](#) to the House Ways & Means Committee in March, and the hearing was very respectful of this top priority of MASW and our partners in the Tax Justice for a Healthy Missouri campaign.

The bill is the long-overdue reworking of Missouri's state income tax system. The rates have not been adjusted since the 1970's, and the tax brackets have not been adjusted since 1931.

HB 2034 would increase desperately needed state revenue by one and one-quarter billion dollars, while giving a tax cut to 60% of current state income tax payers.

Those at the bottom, and in the middle, would get a break, and those of us who make more than most would pay something closer to our fair share than at present.

Streamlined Sales Tax Debated, But Dies, in Senate

[Sen. Joan Bray](#) sponsored [SB 905](#), which was voted "Do Pass" by the Senate Ways & Means Committee and debated on the floor of the Senate.

Millions of dollars in sales tax are owed to the state and its local governments for goods purchased over the internet, but many web-based merchants do not collect and remit the tax.

SB 905 would have adopted a national model to simplify this process and bring compliance closer to 100%

Unfortunately, it died on the Informal.

Stable Funding for Consumer Advocate "Do Pass" in House Committee

The [Office of Public Counsel](#) was created in the 1970's, and by law it represents the interests of families and individuals in cases before the [Public Service Commission](#). The commission sets rates for electricity, natural gas, and other utilities.

OPC relies on general revenue for funding, which means in bad budget times, like at present, the office has to cut back.

But utilities have more lawyers, more accountants, more engineers, and more ways under the law to increase their rates than ever before. To give OPC any chance at all to win lower rates for us, they need a more stable source of funding.

[Rep. Charles Schlottach](#) introduced [HB 2408](#) to accomplish this, and it actually was voted "Do Pass" in committee. MASW testified in favor, of course.

The bill died in the Rules Committee, but this is the first time in years the idea even was considered in legislation.

Worst Budget Ever – Until Next Year

Some have said that budget makers could not foresee the severe revenue shortfall that eventuated this year. Baloney.

Tax policy in Missouri has consistently favored tax breaks for the already well-off, and more exemptions, tax cuts, and other changes in policy that anyone with understanding of state finance knew would result in less and less state revenue.

At this point, the only thing we know for sure is that next year will be worse. And with leaders in both parties pledged to never raise taxes, there can be no way out.

The Scorecard

To summarize, and not double-counting legislation that fits more than one of our four policy priorities, here is how the social justice agenda fared in the State Capitol in 2010...

Quality Healthcare:

2 bills – 1 supported, did not pass;
1 opposed, passed but still faces public vote in August.

Decent Housing:

3 bills – 3 supported, 3 did not pass.

Fair Treatment:

8 bills – 2 supported, 2 did not pass;
6 opposed, 6 DID NOT PASS.

Shared Prosperity:

7 bills – 4 supported, 1 PASSED,
3 did not pass;
3 opposed, 2 DID NOT PASS,
1 (state budget) passed

The State Budget is actually 13 separate bills, but we have counted them as one for our purposes here.

MASW of course does not oppose the state adopting a budget, but we strongly oppose the priorities and moral values extant in the 2011 Budget adopted this year.

[Link here](#) to see the information from this Legislative Wrap-Up in grid format.