

# JOHN BARDGETT & ASSOCIATES

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## LEGISLATIVE REPORT

TO: MAPA

FROM: John E. Bardgett, Jr.

DATE: February 20, 2014

RE: Legislative Activity – Week 7  
February 17-20, 2014

This week in the House of Representatives was even further shortened due to the unexpected death of former State Representative Ron Casey over the weekend. A technical session had already been scheduled for Monday, February 17<sup>th</sup> which members are not required to attend. Session was again pushed back until 2:00 p.m. on Tuesday allowing members to attend former Rep. Casey's funeral in Jefferson County.

It was business as usual in the Senate this week. Senators debated several bills this week and even met in afternoon sessions on Monday and Tuesday.

### How well do you know the State of Missouri?

The trivia question for this week is ... *What is the State Fish?*

The answer can be found at the end of the report.

### Senate Reconsiders Gun Bill

The Senate gun bill, SB 613 sponsored by Sen. Nieves (R – Washington) seeks to nullify some federal gun control laws and jail federal agents for enforcing them, made its way back to the Senate floor after increased pressure from the National Rifle Association (NRA). The bill was given first round approval on the Senate floor last week, but was brought back up for reconsideration of its perfection vote on Monday, February 17<sup>th</sup>. The item of controversy was Sen. Nasheed's (D – St. Louis) amendment that would require gun owners to report a stolen firearm within 72 hours of becoming aware of the theft. Sen. Nasheed filibustered the reconsideration of her amendment for 5 hours after seeing the massive change in votes from yes to no by the Republican senators. Sen. Nasheed accused the majority of Republican senators of being dishonest and blindly following others. The 72-hour theft reporting amendment was eventually stripped from the bill after hours of debate and filibustering with a reconsideration vote of 22-9. The bill was third read and finally passed on Thursday and now moves to the House for committee assignment.

### Senate Passes Oral Chemotherapy Parity Measure

This week the Senate unanimously passed SB 668 – sponsored by Sen. Silvey (R – Gladstone) that seeks to lower treatment cost for some cancer patients. The bill would provide patients who opt for oral chemotherapy treatment versus intravenous protection from high co-pays on pharmacy drugs. The bill caps the co-pay at \$75 for oral chemotherapy treatment. Similar

legislation has languished in the last four legislative sessions with no resolution due to strong opposition from the health insurance industry. Missouri would become the 28<sup>th</sup> state in the country to have parity for oral chemotherapy if the bill passes the House and is signed into law by Gov. Nixon. The bill now moves to the House of Representatives for committee assignment.

#### House Passes Measure to limit Governor's Withholding Ability

HJR 72 – sponsored by Rep. Richardson (R – Poplar Bluff) proposes a constitutional amendment prohibiting the Governor from reducing any payment of public debt and requiring notification to the General Assembly when he or she makes specified payment changes of appropriations. This proposed amendment would allow the legislature to override a governor's line item veto of a budget item with a 2/3<sup>rd</sup> majority vote. The legislature has called into question budget cuts and withholds from the budget by Gov. Nixon in recent years. The bill if passed by the Senate would go to a vote of the people. The bill now moves to the Senate and awaits committee assignment.

#### House Advances Income Tax Cut Bills

Two similar bills that would reduce the business and personal income tax rates in Missouri passed the Missouri House of Representatives along party lines this week. The two bills are HB 1253 – sponsored by Rep. Berry (R – Kearney) and HB 1295 – sponsored by Rep. Koenig (R – St. Louis County). Cutting the tax rates in Missouri is a priority of both House and Senate Republican leaders. Democrats who are opposed to the measures have stated that the cuts would cost the state millions of dollars in revenue every year. Gov. Nixon vetoed a similar bill last year, but recently has been in talks with Sen. Kraus (R – Lee's Summit), who has a similar bill in the Senate. Gov. Nixon stated that any tax cut bill that he signs would have to include fully funding the K-12 education foundation formula before any tax cuts take effect. He also wants to offset revenue losses with savings from tax credit reform. The bills now move to the Senate and await committee assignment.

#### Right to Work Bill Clears House Committee

HB 1099 – sponsored by Rep. Burlison (R – Springfield) was voted out of the House Workforce Development Committee on Monday, February 17<sup>th</sup> on strictly party lines with all Democrats voting against the bill. This hot-button issue has been touted by Speaker Jones and other Republicans in the House as a top priority this session. The bill now goes to the House Rules Committee for approval before debate by the full House.

#### Student Transfers

As we have been reporting to you, the student transfer issue continues to be major topic of discussion in the capitol. SCS / SB 493 – sponsored by Sen. Pearce (R – Warrensburg) was voted out of the Senate Education Committee on Thursday, February 20<sup>th</sup> and is Chairman Pearce's attempt to cobble together a consensus on this issue. Many of the Senate Education Committee members filed their own bills with varying remedies to the issue, compounding the problem of finding a compromise solution. The bill now awaits debate by the full Senate.

#### Budget Update

The House Budget Committee will soon get underway in drafting their version of the Fiscal Year 2015 Budget. The seven House Appropriations Committees finalized their funding recommendations, this week, with the exception of the House Health, Mental Health, and Social Services Committee, which was unable to meet due to a family emergency of the committee analyst. Next week, the House Budget Committee members will review the recommendations submitted by the appropriations committees and begin to prepare for the mark-up process.

The House Budget Committee amended the Fiscal Year 2014 Supplemental Budget on Tuesday and voted it out of committee by a unanimous vote. The committee made only a few changes, but two of the changes were highly political topics. The funding for the new construction of the Fulton State Hospital was removed and language was added in regard to the Normandy School District, which is projected to become bankrupt by the end of March. The language added implements of a special administrative board, which provides for oversight on the school district and their financial status. The supplemental budget will go before the full House for debate before it moves to the Senate Appropriations Committee for consideration.

#### Other Bills of Interest

SJR 46 – sponsored by Sen. Emery (R – Lamar) eliminates income taxes and replaces them with an expanded sales and use tax and creates a property tax relief credit. This bill was heard in the Senate Ways & Means Committee on Thursday, February 20<sup>th</sup>. Testifying in support of the bill was Missouri First, and one individual. Testifying in opposition to the bill were the Missouri Budget Project, the Missouri National Education Association, the Missouri Society of CPA's, the Civic Council of Greater Kansas City, the Missouri Retailers Association, the Missouri Realtors Association, and the Missouri Broadcasters Association. No further action was taken on the bill at this time.