



State Senator Joan Bray District 24

Dear Friend,

As I send this letter, the legislative session has been over for a few months. I hope I will be successful here in articulating my perspective on what I feel was the most difficult session in my 15 years in the General Assembly.

I appreciate the opportunity to represent you in this first session of my second term in the Missouri Senate. **The effects**

of term limits on legislators and a deep partisan divide have made serving a more challenging experience.

The root of my disappointment and discouragement lies in what I saw to be extraordinary partisanship and disagreement on what governing means. The deepest disheartenment came from the deterioration of the Senate and its role in lawmaking.

The Senate has long been the forum for free and open debate. The only way to stop debate is to use a rare procedure, “calling the previous question” (known informally as the “PQ”). Between 1970 and 2003, the PQ was used in the Senate on only three bills. Since 2003, senators have used the PQ on nine different pieces of controversial legislation — legislation in which a compromise could not be reached. As a result, the Missouri Senate no longer serves the role it had since 1820 — a place where every issue can be discussed fully, the view of every senator is respected, and compromise is achieved.

As a result of the PQ’s enacted this session, the state’s low-interest student loan authority, MOHELA, has been damaged (SB 389); hundreds of millions of dollars of student loan money will be spent on “pork” projects (HB 16); school districts will be pressured to teach ineffective “just say no” sex education (HB 1055); safe and legal abortions will be available at only one location in Missouri (HB 1055); and citizens will be asked to vote on an unnecessary amendment to the state Constitution to make English the official language — an action already addressed by state law (HJR 7).

The session was also marked by lost opportunities. Because revenue was higher than expected, services to more of the 287,000 people who had been cut from Medicaid two years ago could have been restored (SB 577). But they weren’t. The rewrite of the Medicaid law could have assured that people would get full medical treatment, like dental care. But it didn’t. And the state could have pulled itself up from 50th among the states in the amount it invests in child care for poor working families (HB 11). But that didn’t happen.

Instead, the Legislature chose to subsidize ethanol production for tens of millions of dollars (HB 6) and pass legislation authorizing hundreds of millions more in tax credits (HB 327 — later vetoed by the governor).

The latter topic was another disturbing trend. Two bills relating to tax credits, one to re-evaluate and “sunset” credits (SB 86) and one to enact a new, high-cost program of land assemblage for development (HB 327), were brought to the Senate floor. Many provisions in these bills were amended and never received a post-floor hearing. While each proposal had merit, each was a major, new policy. **Changing the way the state does business on high-profile, controversial issues without public input goes against the basic principle of representative government.** The tax credit sunset provision in SB 86 did not pass; the land assemblage bill (HB 327) as I mentioned, has been vetoed by the governor.

House Bill 327 and HB 818 were two bills that demonstrated what some believe is the failure of the General Assembly to take legislating seriously and understand the consequences of its actions. House Bill 327, the aforementioned economic development bill that came from the House to the Senate, was loaded up with many senators’ provisions and then sent back to the House.

(Continued)

Ordinarily, the bill would then go to a conference committee to make sure it contained only the provisions agreed upon by both chambers. Unfortunately, this year, the House chose to pass the bill "as is," thereby challenging the governor to sign a bill containing not only one of his own priority provisions, but a lot of costly junk as well. Shortly before the deadline in mid-July, the governor vetoed HB 327.

House Bill 818 was passed late in the evening, without enough scrutiny, and contained obscure language legalizing midwifery. As a result, the General Assembly spent the remainder of the session trying to undo bad ideas that had been passed in the two bills by attaching special language to other bills expected to pass. **I have never seen anything like that in my years in the Legislature.**

The state's \$21.4 billion budget for the current fiscal year does not properly reflect the priorities of all the members of the General Assembly. It fails to restore health care to 90 percent of those who lost it two years ago. The budget also fails to expand health care to 700,000 uninsured Missourians. It is heavy on subsidies to special interests, such as the ethanol industry, and wastes precious tax revenue by privatizing basic state services that can be provided through state employees. An arbitrary ceiling of 60,000 state employees has been set, regardless of other important needs, such as more nursing home inspectors.

Business groups were able to get their bills passed or keep other bills from passing. A bill for the health insurance industry (HB 818) included a provision to make the state the debt collector for hospitals. A bill to correct the problem of overtime pay for police officers and firefighters in the minimum wage measure that was passed by voters in November failed to pass through the General Assembly because business groups wanted to negate the inflation factor in the bill (SB 255).

Nevertheless, as the senior minority party member on the Senate Appropriations Committee, **I was pleased that some badly needed investments were made to make life a little more comfortable for people who rely on state services.** Among those are:

- ◆ Service increases for people with the most severe developmental disabilities.
- ◆ Rate increases for providers of developmental disability and alcohol and drug abuse services.
- ◆ New funding for assertive community treatment of psychiatric clients.
- ◆ Medicaid funding for working people with disabilities.
- ◆ Rate increases for providers of in-home services, nursing homes for the elderly and people with disabilities.
- ◆ Funding for all the beds in the state's veterans' homes.
- ◆ Rate increases for foster care and adoption.
- ◆ More funding for scholarships to higher education.
- ◆ First-time funding for the Life Sciences Research Board for plant and animal sciences research capacity.
- ◆ Funding increases for the arts and cultural programs.
- ◆ Funding increases for Parents As Teachers.

Other than much-needed funding in the state budget, **there were other highlights in this past legislative session.** Some progress was made in safety requirements for group homes after the devastating fire that killed eleven people last fall (HB 952). Victims of sexual assault will no longer have to pay for rape exams as part of a criminal investigation (HB 583). In that same bill, I was able to successfully attach a measure I had filed granting parole hearings to certain women convicted of spousal murder before the domestic violence defense provision was in use.

Another measure, which I was able to pass by attaching it to another piece of legislation (SB 54), allows "net metering" by customers of electric utilities. This provision requires the utilities to give credit to customers for electricity they generate through renewable resources.

Visit the following Web sites for more details:
www.ao.mo.gov/bp/facts.htm
www.mobudget.org
www.senate.mo.gov
(click on "Session Information, Truly Agreed Bills")

Sincerely,





Senate Bill 577 Rewrites Medicaid Law

The state's Medicaid program, which was due to expire in June 2008, was renewed in Senate Bill 577. The bill passed the Senate on April 11, but did not get to a conference committee between the House and Senate until the last week of the session; it passed in the final hours on the last day of the legislative session. It was an integral part of the deals being cut to join the fates of the sex education and abortion clinic bill (HB 1055) and the constitutional amendment requiring only English in official state business (HJR 7).

Senate Bill 577 requires Medicaid clients to have a "health care home" and enroll in "health improvement plans." Details are left for the Department of Social Services to determine and an oversight committee to approve. The measure failed to restore health-care services to the approximately 287,000 low-income Missourians who lost the services after Medicaid was cut in 2005. It also fails to address the one in eight other Missourians who are uninsured. A single parent with two children who makes \$292 a month (more than \$3,500 a year) is still deemed too wealthy to qualify for Medicaid. In addition, dental and optometric services are available only if the Legislature appropriates the funding.

Services that were cut from the program in 2005 have been restored to 3,000 of the 18,000 workers with disabilities and 7,000 of the 47,000 low-income children. The bill also expands coverage for 1,000 adolescent children who would otherwise lose their Medicaid eligibility because they are no longer eligible for foster care. Approximately 90,000 very low-income women will receive expanded coverage to get pap smears and cervical and breast cancer screenings.

Other items in SB 577 include:

- ◆ Requirements for durable medical equipment, such as wheelchair batteries and hospice care.
- ◆ Strengthened Medicaid fraud provisions.
- ◆ Establishment of a "pay for performance" program for providers.
- ◆ An increase for the deductibility of premiums for long-term care insurance.

For a summary and more information on SB 577, go to www.senate.mo.gov (click on "Session Information," "Truly Agreed Bills").

Income Tax Deductions for Missouri Seniors

The final hours of the session also saw the approval of a tax cut, which was tied up with the passage of other, unrelated bills (see adjacent article on SB 577). The tax cut in House Bill 444, combined with smaller cuts in Senate Bill 30, as well as House Bill 818 and House Bill 327*, are estimated to cost the state tens of millions of dollars a year.

The money could have gone more productively toward restoring health care to the more than 287,000 children and the working poor who were cut off from services two years ago.

For more information on the effects expected from tax cuts, go to the Missouri Budget Project's analysis at www.mobudget.org.

House Bill 444 authorizes an income tax deduction for a single taxpayer with an adjusted gross income up to \$85,000 or a married couple filing a combined return with an adjusted gross income up to \$100,000. The cut will be phased-in over six years on Social Security benefits, Social Security disability benefits, and benefits received from non-private retirement systems — such as firefighter, teacher and police systems — for people age 62 or older. If a taxpayer's adjusted gross income exceeds the income limit, the deduction will be decreased by \$1 for every dollar in excess of the maximum.

One good provision in the bill was an amendment I added that will no longer allow non-residents who work in Missouri to deduct the property taxes they pay in their home state for their taxable income in Missouri. The state will gain about \$14 million as a result of this provision.

* vetoed by governor



Senator Bray talks with Senator Yvonne Wilson of Kansas City.

Missouri gives credits to certain seniors and individuals for all or part of the real estate taxes or rent called the Missouri Property Tax Credit. You may be eligible for the Circuit Breaker tax credit. **You may apply for either the Circuit Breaker or Homestead Preservation Tax Credit, but not both.** Tax Credit must be filed during the current year; you may not go back and file for previous years. To get more information or help, please call 800-392-2689.

Are You Eligible for a Missouri Property Tax Credit (Circuit Breaker)?

You can use this diagram to help you determine if you or your spouse are eligible to claim a Missouri Property Tax Credit.

Did you receive a Homestead Property Tax Credit last year?

YES →

NO ↓

Was your TOTAL household income -- including Social Security and other non-taxable income -- less than \$25,000 (\$27,000 if you are a married couple)?

Note: According to the Department of Revenue, these amounts change to \$27,500 (\$29,500 if you are a married couple) and apply to the 2008 taxes to be filed in 2009.

NO →

YES ↓

Did you live in Missouri for the entire calendar year?

NO →

YES ↓

Did you pay real estate taxes or rent on your main homestead?

NO →

YES ↓

Were you or your spouse 65 or older by Jan. 1, 2007?

NO →

Were you or your spouse 100 percent disabled and between the ages of 18-64?

NO →

Are you a widowed person between 60 and 64 receiving Social Security surviving spouse benefits?

NO →

YES ↓

YES ↓

YES ↓

Eligible

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Senator Bray's Govern



Richard "Rick" Sullivan, Jr., Regional Convention and Sports Complex Authority



Jack E. Pohrer, Missouri Citizens' Commission on Compensation for Elected Officials



Samuel J. Hais, Missouri Gaming Commission

Missouri Seniors

it (also known as the Circuit Breaker) and the Homestead Preservation Tax Credit. This year the Legislature increased the number of people **not both**. The 2007 filing period is from April 1 to October 15, 2007. Unlike the Circuit Breaker Tax Credit, the Homestead Preservation Tax Credit is available to all **1-800-877-6881** (toll-free) or visit the Department of Revenue's Web site at www.dor.mo.gov.

Are You Eligible for the Homestead Preservation Tax Credit?

You can use this diagram to help you determine if you or your spouse are eligible to claim the Homestead Preservation Tax Credit. The filing period is April 1 to October 15, 2007.

Did you receive a 2006 Missouri Property Tax Credit (Circuit Breaker)?

YES

NO

Are you or your spouse the owner of record of the homestead property? **You must have owned and resided at the property in 2004, 2005, and 2006. Property jointly owned with unmarried individuals is eligible if all property owners meet the qualifications and their combined federal adjusted gross income does not exceed \$74,262. If any individual does not meet the requirements, then all are ineligible. Property held in a trust is eligible for the Homestead Preservation Tax Credit.**

NO

YES

If **single** or **married filing jointly**, is your Federal Adjusted Gross Income \$74,262 or less?

NO

YES

Did your property tax increase more than 2.5 percent in 2006? To determine if your real estate tax increased more than 2.5 percent, multiply your 2005 property tax paid by .025. Add that figure to the property tax you paid in 2005. If the 2006 property tax paid exceeds that figure, you may be eligible for the Homestead Preservation Tax Credit.

NO

YES

If married, is one spouse 65 years of age or older on or before Jan. 1, 2007 and the other spouse at least 60 years of age on or before Jan. 1, 2007?

NO

If single, were you 65 years of age or older on or before January 1, 2007?

NO

Are you or your spouse 100 percent disabled?

NO

YES

YES

YES

Eligible

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Nominal Appointments



William F. Madosky, D.C.,
Missouri State Board of Chiropractors



Patricia J. Bolster, M.D.,
Mental Health Commission



A full list of boards and commissions can be found online at www.gov.mo.gov.

Changes to Missouri Higher Education

Let me count the ways that Senate Bill 389 is harmful to higher education in Missouri. The bill contains the controversial provisions damaging the Missouri Higher Education Loan Authority (MOHELA), which provides low-interest loans for students to continue their post-high school education. Given that the cost of higher education in Missouri has risen more than 57 percent in the past five years, the agency has been crucial in helping students continue their schooling.

According to a recent study, the average tuition at Missouri's four-year universities is higher than the national average. Another study found that fewer children who are born in Missouri will attend college than the national average, and those who start are less likely to graduate. A new "cradle-to-career" index released this year by *Editorial Projects in Education*, the respected non-profit publisher of *Education Week*, shows Missouri ranking 33rd out of 50 states.

These are the reasons why I am concerned that this year's higher education bill focused more on pandering to lawyers, bonding companies and opponents of public higher education and less to access and affordability for students.

The MOHELA bill evolved over 15 months, as the administration worked to find a legal way to sell \$350 million of the agency's assets. Originally, the plan had the noble cause of putting the money toward funding life sciences research on Missouri's campuses. But by the time it was signed into law this spring, it had become a "pork buffet," a list of buildings constructed to gain votes. However, none of these buildings could relate to life sciences because of the powerful anti-stem cell lobby.

An independent financial analysis of the plan was never performed. The state relied on an analysis by a consultant that stood to make money from the deal. And when that consultant cautioned that changes in the plan may negatively affect it, the state disregarded the warning.

Other government aspects of the plan include:

- ◆ The agency's assets have never been state money.
- ◆ The bill commits future administrators to use \$100 million in the state's allocation of federal tax-free bonds for MOHELA.
- ◆ Lawyers involved were often representing more than one side.
- ◆ Many of the buildings on the list do not have full funding for construction, and they will require additional funding for operating.

This is another bill that the General Assembly pushed through using the Previous Question motion. The governor has signed the bill, and it's now up to critics and the public to monitor the construction and operation of the buildings, but more importantly, the accessibility and affordability of higher education in Missouri.

Other Provisions in SB 389:

- ◆ The Missouri Teaching Fellows Program, which aims to get more qualified teachers into failing school districts.
- ◆ Closed records for donors to the University of Missouri.
- ◆ A procedure for ensuring that entry-level courses are transferable among public institutions.
- ◆ The ability for the Coordinating Board for Higher Education to fine institutions for disregarding policy.
- ◆ A process for out-of-state public higher education institutions to meet certain minimal standards.
- ◆ Binding dispute resolution for disagreements among the state's public institutions of higher education that involve jurisdictional boundaries or the use of expenditure of any state resources.
- ◆ Higher amounts for Bright Flight Scholarships — to \$3,000 from \$2,000 — in Fiscal Year 2011 and new \$1,000 awards for lower scores.
- ◆ The ability for a state legislator who has an undergraduate degree and has served at least eight years in the General Assembly to apply for a faculty position.
- ◆ Tuition caps on each public institution of higher education under certain conditions.
- ◆ Each public higher education institution is to make pertinent information regarding course offerings and instructors available on its Web site.
- ◆ Performance measures for public institutions of higher education.

"From the start, this unseemly hunger for MOHELA money has defied the fundamental social good for which the authority was created a generation ago by forward-thinking Republicans and Democrats in state government: allowing qualified Missourians to get a college education they otherwise could not afford by assuring them access to low-interest education loans."

— St. Louis Post-Dispatch editorial, April 25, 2007

Coping With Construction



The Missouri Department of Transportation's Web site (www.modot.org/workzonemap) contains the latest work zone information for Missouri travelers. You can view work zone maps in several different ways — by destination, route, or region. Just click on a work zone icon on the map for more information.

Additional information on local projects is available by visiting your local MoDOT Web site.

For more information or assistance, contact Customer Service by e-mail through MoDOT's Web site or call (toll free) **1-888-ASK MODOT**.

◆ Choose by trip origin and destination.

◆ Choose by route number and location.

◆ Choose by district area.



Have you considered MetroBus, MetroLink, car pools, biking or walking? These are great alternatives to congested St. Louis roadways.



The new I-64 construction is under way. Here are several tools that may help you cope with the construction on this busy, heavily used interstate.

These travel tools allow motorists to determine what traffic will be like, in real time, on other highways along their route, thus allowing them to make smart choices to modify their route if needed. Roadside message boards and most local media outlets will provide advisories.



This Web site provides an overview of the entire I-64 construction project. It gives traffic updates and links to all the tools mentioned below. If you need further information, you can call the Info Line during normal business hours at 314-524-9191.



With Map My Trip, travelers can avoid highway and ramp closures due to construction in the St. Louis area. This map will suggest one travel route and does not necessarily reflect the fastest route based on real-time traffic conditions.



This Web site utilizes a number of state-of-the-art devices to provide travelers with tools and resources to navigate around St. Louis. Travelers can obtain the latest information on travel, including average traffic speeds, current accidents, and construction zones before they leave from home or work using the Gateway Guide Web site. This site shows live camera shots at key intersections, accidents, emergencies and scheduled closures. It also shows real-time freeway speeds. As travelers head toward their destinations, message boards provide additional information about congestion on interstate highways.

Don't have access to the Internet?

Call 511it's FREE!

Travelers in St. Louis city and county, as well as Franklin, Jefferson, and St. Charles counties, can get around-the-clock real-time information on traffic or accidents on interstates or major state highways. The 511 service is free, although cell phone users will pay normal airtime and roaming charges, and pay phone customers are required to pay the minimum pay phone toll fee. If 511 does not work, you may call 1-877-4STL511. Additionally, by registering on the co-sponsored MoDOT and Traffic.com Web site, travelers can get information on their routes sent directly to their telephone or e-mail accounts. The 511 travel information service augments the current Gateway Guide services.

State Senator Joan Bray - District 24

Contact Senator Bray

My staff and I are available to help you, whether you come to the office, or contact us by mail, telephone or e-mail. We are always ready to answer any questions or concerns you may have about the Missouri Legislature.



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