

# State Senator Jim Lembke

## District 1 2010 Legislative Report



Friends,

This has been one of the most challenging years in state history. Our priority

was the budget. We are required, by the state constitution, to pass a balanced budget each year. We did so this year, but not without making sacrifices. The Missouri Senate was able to shed \$456 million from the original budget proposal totaling \$23.9 billion. Most importantly, we did so without raising taxes on hard-working men and women.

We in the Missouri Senate also embarked on a new journey during 2010. The concept of "Rebooting Government" was created during these tough economic times. I have always been committed to getting rid of fraud, waste and abuse in government, and I always will be. The Missouri Senate's "Rebooting Government" efforts are some of the most comprehensive steps toward trimming government I have ever seen. And, we only scratched the surface this year.

The 2010 legislative session also brought a renewed effort from lawmakers to remind the federal government who's in charge in this state. It's not them. Sovereignty, 10<sup>th</sup> Amendment and health care issues are becoming more prevalent in states throughout our nation. Missouri is one of several states that has started to stand up against the powerful Washington, D.C. establishment and say to the bureaucrats "enough is enough."

We will continue to face major battles and tough decisions in 2011. I will continue to work hard representing Missouri's 1<sup>st</sup> Senatorial District as I have for the past two years. Together, we can make our community better than it's ever been before.

Thank you,

### ***Successful Legislation Sponsored by Sen. Lembke in 2010:***

- **SB 739** — Modifies the provisions governing fire department employee residency requirements for St. Louis.
- **SB 774** — Creates additional measures intended to increase safety at the Department of Mental Health.
- **SB 984** — Modifies the provision of law which makes it a class B misdemeanor for any gaming licensee to exchange tokens, chips or other forms of credit used on gambling games for anything of value.
- **HB 1408** — Allows taxpayers to receive interest if they overpaid income taxes and shortens the processing time for tax returns.
- **HB 1498** — Changes the laws relating to timely payment of claims by insurance companies, calculation of interest and penalties, payment of attorney fees and other ancillary matters.
- **HCR 38** — Urgently requests the United States Congress to cease and desist from imposing unfunded mandates on the states.
- **HCR 46** — Urges the Environmental Protection Agency to rescind its endangerment finding on greenhouse gases and urges our congressional delegation to vote against HR 2454 ("Cap and Trade").

### ***Other Successful Legislation in 2010:***

- **SB 793** — Modifies provisions relating to abortion laws. (Senator Lembke is a co-sponsor.)
- **SB 851** — Requires at least four days notice before voting by governing bodies of local governments on tax increases, eminent domain and certain districts and projects. (Senator Lembke is a co-sponsor.)
- **SB 844** — Modifies the law relating to ethics.
- **SCR 36** — Urges Congress to pass a balanced budget amendment to the U.S. Constitution, just as Missouri has in its state constitution.
- **SCR 54** — Creates the Joint Interim Committee on Reducing the Size of State Government.
- **HB 1316** — Changes laws regarding collecting property taxes and property assessment.
- **HB 1524** — Changes laws regarding veterans. (Includes Sen. Lembke's Senate Bill 752 creating a "Legion of Merit" license plate.)
- **HB 1695** — Changes the laws regarding intoxication-related traffic offenses.

# Missouri's Number One Priority: A Balanced Budget

Crafting a budget can be hard work. This year, it was more difficult than usual.

I have had a role in creating the state's budget since 2003, my first year in the Missouri House. Now, I serve on the Senate Appropriations Committee; and our job was extremely difficult this year.

Budget work actually starts in November, when people in the Senate, the House and the governor's office get together to start talking about what the needs are and what the revenues could be for the next fiscal year. From there, the Senate Appropriations Committee holds public hearings on the next fiscal year's budget.

Then, the governor outlines his spending plan in an address to a joint session of the General Assembly in January. From there, the Senate and the House hold committee hearings until April, when the budget bills are debated in each chamber. We are required to have the budget balanced and sent to the governor by the first Friday following the first Monday in May. Missouri's fiscal year starts on July 1.

The breakdown of each dollar of the 2011 fiscal year budget reflects reductions made by the Senate and further cuts made by the governor. Sadly, as tough as the budget was to control this year, next year's looks even worse. We are told there could be a \$1 billion hole for fiscal year 2012. Rest assured, we will spend a great deal of time making the tough decisions in Jefferson City to balance the budget without hurting services provided by the state.

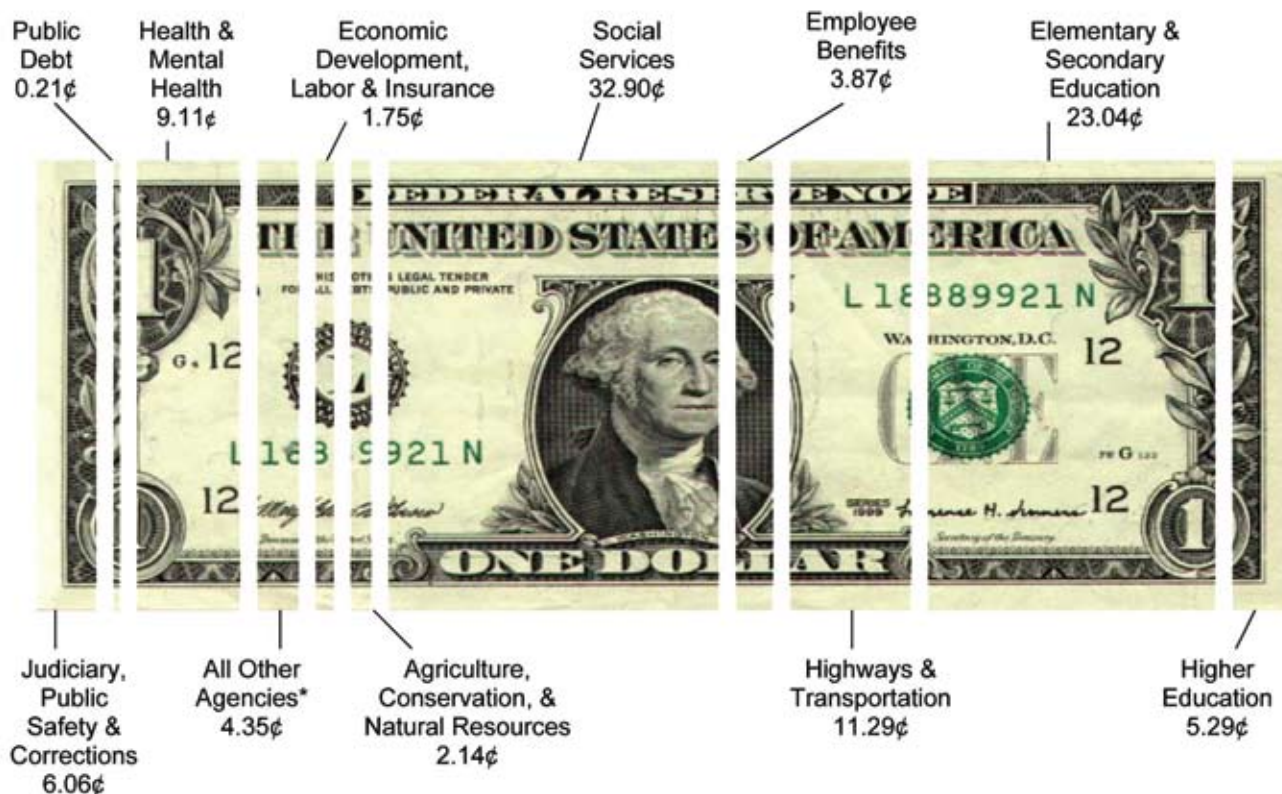
*Senator Lembke introduces legislation to his colleagues on the Senate floor.*



## DISTRIBUTION OF EACH TAX DOLLAR

### FY 2011 AFTER VETO OPERATING BUDGET

All Funds: \$23.275 Billion



\* Revenue. Office of Administration. Elected Officials. General Assembly. Real Estate



# House Bill 1764: The Health Care Freedom Act

Missouri citizens were the first to have the opportunity to vote on whether they would accept or decline a federal law that would force them to buy health insurance. This referendum was added as an amendment – that I adamantly supported – to House Bill 1764. This amendment, known as the “Health Care Freedom Act,” was passed the Missouri



*Senator Lembke confers with Sen. Jane Cunningham of Chesterfield.*

General Assembly.

The Health Care Freedom Act appeared before voters on August 3 and allowed citizens to decide whether or not federal law could force a patient, employer or health care provider

to participate in any government or privately run health care system. This bill does not reject any health care option, but ensures that the participant has the choice to participate in any health care plan they desire. Bringing this measure before voters expands Missourians’ options and does not limit them.

People had the opportunity for their voice to be heard; no longer do our state’s citizens want to be ignored by government. The Health Care Freedom Act ensured that Missourians were able to choose their own health care services without fear of government intervention. By putting health care freedom to a vote of the people, we made government – once again – submissive to the people.



On March 23, 2010, Missouri senators made history by taking one day to discuss recommendations made by the general public on how to “Reboot Government.” The results of the day’s work can be seen by going to the Missouri Senate’s website ([www.senate.mo.gov](http://www.senate.mo.gov)) and clicking the Rebooting Government icon.

I led a work group tasked with finding cuts in general government spending. We came up with these solutions:

- Cut \$1.7 million by not printing the state manual (Blue Book). This was signed into law as HB 1965.

- Cancel all of the publication/magazine subscriptions across state government.
- Shorten the legislative session.
- Save \$3.5 million by consolidating state leases.
- Cancel all membership dues to save \$3 million.
- Eliminate all technology consulting contracts and save \$6 million.
- Start a moratorium on all state employee travel.

Our ideas would save the state between \$55 million and \$60 million per year.

My hope is that we can implement more budget-cutting ideas in 2011’s legislative session.



## SCR 34: Reaffirming Missouri’s Sovereignty

*“Our proposal reinforces the federal government’s role in controlling individual states. It’s time for the citizens of our country to remind the feds who’s in charge.”*

— Senator Jim Lembke

Over the past several years, the federal government has grown tremendously large. The number of federal regulations and penalties placed on our people and our small business owners has risen dramatically.

This cannot continue.

I introduced Senate Concurrent Resolution 34, which would have worked to reaffirm Missouri’s sovereignty under the 10<sup>th</sup> Amendment to the U.S. Constitution. There were seven Missouri senators who co-sponsored the resolution. Sadly, the resolution was filibustered each time it was debated on the Senate floor.

The 10<sup>th</sup> Amendment simply says: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. Translation: If it’s not spelled out in the Constitution, then the federal government has no business trying to regulate it or take possession of it.

Sooner or later, the federal government has to be reminded of the words government OF the people, not OVER the people. More states across the country see the importance of this, as do more of my Senate colleagues.



State Senator  
**Jim Lembke**

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## Senate Bill 984: Relaxing Restrictions

Senate Bill 984 is the measure designed to make it easier for casino employees to serve patrons food or beverages on casino floors throughout Missouri.

Before passage of this bill, it was a Class B misdemeanor for any gaming licensee to take tokens, chips or other forms

of credit used in gambling games for anything of value other than as a wager on games or exchanged for money. Senate Bill 984 removes the misdemeanor charge and allows gaming enterprises and their employees to accept tokens for food, beverages or tips.



*Senator Lembke (front, second from left) joins representatives of casino workers as the governor signs Senate Bill 984.*

*"This bill was for my constituents and for hard-working Missourians across the state. This bill was not about a casino's bottom line. It was about making it easier for real people to make a living."*

*— Senator Jim Lembke*

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## Lawmakers Return to Jefferson City

Work completed by lawmakers during the 2010 special session resulted in changes that could save taxpayers \$660 million over the next 10 years.

Lawmakers were called back to Jefferson City for special session by the governor in June to work on two measures: the Manufacturing Jobs Act and state employee pension reform. In order to offset the cost of keeping and bringing new, good-paying jobs with benefits to Missouri, legislators passed a retirement system reform measure for new state employees, beginning January 1, 2011.

I will continue to uphold my position on protecting taxpayers throughout my term in the Senate. Until the federal government gets its house in order and gives the American people a government they can afford, and as long as I'm in the Senate, there will not be a tax increase passed through this body.