

Week of March 10, 2017

The Next Alcohol War?

In previous sessions, alcohol policy has proved to be a battlefield where the building quickly divides into two armies of lobbyists. We'll see if such a brouhaha develops around HB 433. It had its hearing last week in the General Laws committee. Rep. **Robert Cornejo**, the sponsor of the bill, is chair of that committee.

The background – from one observer.... State rules, regulations and laws restrict truthful information about alcohol prices from being advertised to Missouri consumers – restrictions that are the subject of an ongoing federal lawsuit and current state legislation. The 8th U.S. Circuit Court of Appeals recently kept alive a federal lawsuit alleging Missouri's alcohol regulations and laws violate the First Amendment by restricting the free flow of truthful information to consumers... House Bill 433 has been introduced in the Missouri Legislature to allow retailers selling alcohol to offer specials, discounts and coupons to consumers and to advertise those discounted prices. The legal challenge to Missouri's restrictions on free speech has been in the federal courts since 2013, and the [U.S. Court of Appeals for the 8th Circuit recently declared](#) that the lawsuit filed in the lower court has sufficient facts to back up its legal challenge and should be heard by the court. The lead plaintiff is the the Missouri Broadcasters Association, which represents the state's radio and TV stations... HB433 declares that retailers may "Purchase, publish, and display advertisements that list the amount of the rebate or discount and the retail price after the rebate or discount." It also allows coupons, prizes, rebates, consumer discounts and loyalty clubs to be advertised by alcohol retailers, as is the case for other types of retailers' loyalty clubs. Explaining his bill, Rep. Cornejo said, "To me, this is a common-sense step," and "pro-consumer." And, he said, "The opponents are afraid of competition." Cornejo warned that the current Missouri restrictions are unconstitutional First Amendment restrictions, and if federal courts ultimately throw them out, without passage of HB433 to lay out a constitutionally sound state position, "Missouri becomes the wild, wild West."

One of the heavies backing the bill is Total Wine & More. Their lobbyists are: **Mike Gibbons, Trish Workman and Tony Dugger.**

Brown Win Admirers

Justin Brown, son of Sen. **Dan Brown**, had a fundraiser in Jeff City last week. He's running to replace his pops in Senate 16. From the talk in the hallways afterwards, the younger Brown is the early favorite in the building. Right now the lobbying corps would prefer him to Rep. **Diane Franklin**.

Why is Rehder's RTW Bill Moving?

The governor has already signed right to work. So why is Rep. **Holly Rehder's** right to work bill moving? It had a Senate hearing yesterday. The best theory in the building behind the seemingly redundant action is that Republicans are interested in attaching an emergency clause to this version.

They think having the law take effect right when the governor signs it this time, it will throw a wrench in labor's referendum plan.

We'll see....

Why isn't Roeber's Charter Schools Bill Moving?

Rep. **Rebecca Roeber's** HB634 which would expand charter schools seems to have run into some resistance. The bills was initially filed to expand charters to every district in the state, but a compromise in committee limited it to only expand to only districts in 1st class counties. It was voted out of committee last week, and opponents were walking tall in the halls this week as it hasn't come to the floor of the House. They think the reason is simple: it doesn't have the votes.

We'll see....

Galloway to Audit Tax Refunds

Auditor **Nicole Galloway** announced that her office will "ensure the state is not holding on to tax refunds due back to citizens. Auditor Galloway announced she has started an audit of a state law that requires the Missouri Department of Revenue to process personal income tax returns and send out refunds within 45 days of filing. If refunds haven't been paid within 45 days, the state must pay them with interest... The General Assembly changed the law in 2015 amid criticism that the state was too slow in processing tax refunds. Under the previous law, the state had 90 days..."

I wonder if this is related to my observation on February's revenue numbers that state refund dropped dramatically – a decrease of about 26%. Perhaps that decline was from Revenue holding people's refund checks to manage cash flow? We'll see if the audit confirms this suspicion.

Wagner for Senate

Last week **Rex Sinquefield** hosted a fundraiser for Congresswoman **Ann Wagner**. About 100 people were there, and the event is said to have raised about \$175K. One attendee says that she's "all in" for the Senate race.

The state of the Missouri Republican Party means that supporters are bracing for a primary because Wagner – being an elected official – is considered “establishment” by some factions of the MOGOP. Still it's likely her primary will end up being more nuisance than troublesome. One factor which should buttress her position is that it's likely Senator **Mitch McConnell** with his ginormous SuperPAC would like the idea of Wagner in the Senate and would come to her aid in any primary fight.

And

As soon as Wagner declares, looks for a free-for-all Republican primary for her congressional seat. Folks who might join the scrum... **Ed Martin, David Wasinger**, Reps. **Shamed Dogan** and **Paul Curtman** for starters.

Help Wanted

Missouri Foundation for Health seeks Government and Community Affairs Specialist. *“Under the direction of the Director of Health Policy, the Government and Community Affairs Specialist is responsible for activities related to community and government outreach and shares responsibility and accountability for implementing the Foundation’s strategies for addressing health issues prioritized by the Board of Directors. This individual will serve as the principal liaison for Missouri Foundation for Health with Missouri federal, state, and local elected officials by being a conduit of information and research related to MFH through activities and through building relationships with elected officials, organizations, and targeted communities... Team Benefits: EAP, free fitness center, Tea Time, coffee chats, Employee Appreciation Breakfast...”*

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