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# Jason Smith's Capitol Report - Friday, July 4, 2015

JULY 06TH 2015 BY DEE LOFLIN

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**8th Congressional District, Missouri** - Within the last two weeks, the Supreme Court of the United States made some significant and controversial decisions, three of which especially impact our area. First, the Supreme Court ruled to allow same-sex marriage in all states. Second, they chose to interpret Obamacare, not as it was intended, but as they wished it was written. And, third, they appropriately reined in the Environmental Protection Agency (EPA) and the Obama Administration's overzealous regulations.

The Supreme Court ruled that all states must allow same-sex marriage, ultimately taking the power away from the people of a state to make that determination. In our state, more than a million Missourians voted in favor of a constitutional amendment to define marriage as between one man and one woman. As the son of a preacher, I have never wavered in my commitment to the biblical definition of marriage, and until this decision, it was the right of each state to determine how it wished to define marriage. With the Supreme Court ruling, five unelected, unaccountable judges in Washington, D.C., stripped more than one million Missourians of their voice and of their vote by tearing a page out of the Missouri constitution.

The Supreme Court also ruled in the case *King v. Burwell*, deciding that individuals purchasing health care coverage on the federal exchange are eligible for federal tax subsidies, even though the law was not written that way. The text of the Affordable Care Act specifically included subsidies for health care purchased on state exchanges. It did not list such a subsidy for health care purchased on the federal exchange, Healthcare.gov. The Supreme Court's decision is a textbook example of court overreach, legislating from the

bench and side-stepping Congress.

Justice Antonin Scalia saw what so many of us did, arguing that the law was clear. He wrote, “Words no longer have meaning” if an exchange set up by the Federal Government is considered an exchange set up by the State. It’s the role of Congress to make and change laws, not the judiciary.

Finally, the Supreme Court got it right in their decision in Michigan v. Environmental Protection Agency. It was a win for common sense. The Court simply said that the EPA must consider the immense cost complying with regulations will have on folks. Only after looking at the cost, should the EPA determine if the “regulation is appropriate and necessary.” The power plant emissions rule in question would have passed billions of dollars in compliance costs on to customers, and in turn, made utilities more expensive for everyone, including families, farmers and small businesses. The ruling finally puts the reins on this administration’s overzealous rulemaking process and stands up for American families.

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