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Jason Smith's Capitol Report - Friday, February 19, 2016

FEBRUARY 19TH 2016 BY DEE LOFLIN

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Congressman Jason Smith Capitol Report: A Supreme Vacancy Friday, February 19, 2016

Sadly, as you may have seen, Supreme Court Justice Antonin Scalia passed away last week at the age of 79.

As a law student, Justice Scalia helped shape how I analyze laws. Scalia represented the best qualities of a Supreme Court Justice—he was fiercely intelligent, a passionate defender of the Constitution, and a man of uncompromising principle. He interpreted the Constitution from the perspective of the Founding Father's intentions, and never reinterpreted the Constitution to serve political needs. He believed that the letter of the law matters.

In the case of *District of Columbia v. Heller* Justice Scalia wrote the majority opinion of the Court and confirmed our Second Amendment right to bear arms extends to people and not just the militia. In the case of *Planned Parenthood v. Casey*, Scalia reinforced his faith in a true democracy and belief that there is no constitutional right to an abortion.

The Supreme Court is an equal independent branch of our Federal government, a

check and balance on the Executive and Legislative branches. The makeup of the nine Justices on the Court prior to Justice Scalia's death was considered by many to be balanced because it represented both conservative and progressive political and legal perspectives.

This is why the president should nominate someone of the same line of thinking as Justice Scalia, because without his pure interpretation of the text of the law and the origin of the Constitution we may see a drastic change in the rulings of the court.

The most liberal president in our history should not use this as an opportunity to score political points by replacing a conservative Justice with a progressive liberal who believes the Constitution should be reexamined on a case-by-case interpretation. Unfortunately, president Obama has not hidden his intention to replace Scalia with a liberal justice who liberals in the future will be able to rely on for support of their government-centered, government solutions agenda.

Article Two of the United States Constitution is clear that the president, "shall nominate, and by and with the Advice and Consent of the Senate... Judges of the Supreme Court." Fundamentally, the president can nominate a new Supreme Court Justice, but the Senate also has the Constitutional right & responsibility to not confirm the President's nominee until an appropriate conservative mirroring Scalia is nominated. If the President nominates a liberal justice who will interpret the law in a vastly different way than Scalia has, the Senate should continue to vote them down.

If the president cares about maintaining the balance of the institution, the foundation of our federal government based on a separation of powers, then he will do the right thing and nominate a conservative Justice to follow in Scalia's footsteps. The Senate should reject any of Obama's liberal nominations to the Supreme Court and only confirm a conservative judge who will continue to read our Constitution as a non-living, non-evolving document, whose simplicity is exactly what our Founding Father's intended - a document which empowers the states and citizens of our great nation, not the government.

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Bootheel Representatives Support to Keep Noranda Open

FEBRUARY 12TH 2016 BY DEE LOFLIN

Bootheel Representatives Support to Keep Noranda Open

Bootheel Area State Representatives Join House Speaker Richardson in Pledging Support to Keep Noranda Aluminum in Business in Missouri

Jefferson City, Missouri - Following the news that Noranda Aluminum had filed for Chapter 11 bankruptcy, members of the Southeast Missouri legislative delegation pledged their support to finding policy solutions that would help keep one of the area's most important job creators in business. State Reps. Tila Hubrecht, Andrew McDaniel, Holly Rehder, and Don Rone said they are working with House Speaker Todd Richardson to explore every possible option to retain the hundreds of good-paying jobs the company provides.

"Losing Noranda, and the jobs it provides, would be disastrous for our area, and for our state's economy. I am committed to doing everything I can to help, and I will continue to work with my colleagues to look at every avenue we can take to keep Noranda up and running here in Missouri," said Hubrecht, R-Dexter. She added, "I am thankful that Speaker Richardson has pledged his support to working with us, and I am hopeful that we can develop a solution that will move quickly through the legislative process this session."

"We will not rest until we find a solution that will preserve these jobs and protect the families they support. These are our neighbors, friends, and family who need our help, and I know we are ready and willing to do everything we can legislatively to lend a hand," said Rone, R-Portageville.

Noranda Aluminum Holding Corp. filed for Chapter 11 bankruptcy protection Monday morning. The company said the filing was necessary because of challenging market conditions and a catastrophic loss of electrical supply that forced the New Madrid

smelter to close two of its three production lines. Noranda had already announced the layoff of several hundred employees in January, and the Southeast Missouri legislative delegation was already working to prevent further job loss. Now, the legislators will work together to assess potential actions the legislature could take to keep the job provider operational.

"Right now every option is on the table and in discussion as we work together to prevent what would be a devastating blow to the economy of the Bootheel, and our state," said Richardson, R-Poplar Bluff. "I know Reps. Hubrecht, McDaniel, Rehder, and Rone have been working diligently for months now to keep Noranda operational here in Missouri, and they have my full support as they do everything possible to save these jobs that mean so much to so many families."

"This is a company, and these are jobs, that the people of Southeast Missouri cannot afford to lose. We have been working diligently to find viable solutions to keep Noranda in business. This is a huge economic blow to our area and to the people who call the Bootheel home." said Rehder, R-Sikeston.

The Southeast Missouri legislators said they were already working to seek a legislative solution that would help ease Noranda's operating costs so that it can afford to stay in business. They also said they have been in contact with both the offices of U.S. Senator Roy Blunt and Congressman Jason Smith to discuss other possible solutions.

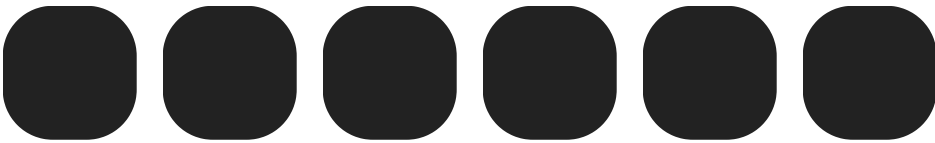
"Plain and simple, the people of the Bootheel cannot afford to lose these jobs. Whatever the answer may be in regard to keeping Noranda in Missouri, we have to find it, and we have to do it sooner rather than later," said McDaniel, R-Deering.

Hubrecht, McDaniel, Rehder, and Rone noted that Noranda, like many other manufacturing companies throughout the United States, has had to struggle with overly burdensome regulations and unfair trade laws passed by the federal government. The legislators also pointed out that manufacturing companies have had to contend with countries such as China continuing to dump inferior quality products at cheap prices into the market without interference from the federal government.

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Tila Hubrecht Joins a Bipartisan Coalition

FEBRUARY 04TH 2016 BY DEE LOFLIN

Tila Hubrecht Joins a Bipartisan Coalition

Rep. Hubrecht joins Bipartisan Coalition of Office Holders Represented by Americans United for Life, Defending Health and Safety Standards for Women vulnerable to abortion industry abuses

“Women and unborn children’s lives, health and safety are of the utmost importance.”
Stated Rep. Hubrecht

WASHINGTON, D.C. (02-03-16) – Rep. Tila Hubrecht, R-Dexter, joined a bipartisan coalition of more than 460 Republican and Democratic office holders represented by Americans United for Life and the Bioethics Defense Fund in an amicus curie (friend of the court) brief filed today in the most significant abortion case before the Supreme Court in decades, Whole Woman’s Health v. Hellerstedt, formally known as Whole Woman’s Health v. Cole. In the brief and on behalf of the officeholders, AUL demonstrates to the Court that state efforts to protect women through reasonable health and safety standards must be upheld for reasons of common sense and medical reality. “It is important to remember that policy decisions impact the health and well-being of women and the unborn child which is why I have joined this fight,” stated Rep. Hubrecht. AUL President and CEO Dr. Charmaine Yoest commended Representative Hubrecht as “a champion for both women and their unborn children” and observed, “At every turn, the abortion industry fights health and safety standards that offer real protection to women, going to court to keep profits high and standards low and ignoring the severe medical risks to women exposed to the reality of abortion in America. AUL’s legal team is proud to stand with men and women from across the country – more than 460 Republicans and Democrats – who are working to protect life in law in their states.”

“This historical case provides an important opportunity for the Supreme Court to affirm

its support of laws that protect women’s health,” Dr. Yoest noted. “After more than four decades of the abortion industry’s recalcitrant opposition to meaningful oversight, the Supreme Court must unequivocally affirm that it meant what it has said as far back as Roe: states may regulate abortion to protect a mother’s health.”

The case, *Whole Woman’s Health v. Hellersted*, involves Texas House Bill 2, a measure enacted in 2013 with a number of life-affirming provisions. Placing profit above women’s health, abortion providers challenged provisions requiring them to meet the same health and safety standards as ambulatory surgical centers (ASCs), as well as to have admitting privileges at a local hospital. In June 2015, the Fifth Circuit upheld the provisions, and abortion providers appealed to the U.S. Supreme Court in their continued effort to avoid compliance with the commonsense requirements.

AUL has been active in this case since its inception. In addition to providing expert consultation on the constitutionality of HB 2 before and after it was enacted, AUL filed an amicus brief in the Fifth Circuit on behalf of Texas Legislators.

AUL’s current brief, was filed on behalf of more than 460 public officeholders from states with provisions similar to the Texas health and safety standards. The brief demonstrates that the Supreme Court has promised “wide discretion” to state lawmakers in the regulation of abortion and gives significant deference to legislative determinations as to the medical necessity for enacting health and safety regulations. Here, both the legislative record and the evidence before the trial court confirm that the State of Texas acted in the best interest of women, and the Supreme Court must uphold HB 2.

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Tila Hubrecht's Capitol Report: Friday, January 29, 2016

FEBRUARY 01ST 2016 BY DEE LOFLIN

Tila Hubrecht's Capitol Report: Friday, January 29, 2016

House and Senate Budget Leaders to Move Forward Cautiously with Budget Process

The House Budget Committee Chairman this week filed the appropriations bills that will make up the Fiscal Year 2017 state operating budget. For the first time in several years, the House Appropriations Committees and the House Budget Committee will begin their budget work based on the governor's spending recommendations. Budget Chairman Tom Flanigan said the process will be a difficult one because the governor's proposed budget is inflated and based on unrealistic revenue projections.

"The governor has a budget based on numbers we think are unrealistic, which means we will have our work cut out for us as we do our best to transform his proposal into a fiscally responsible spending plan," said Flanigan.

Flanigan said the governor's refusal to abide by a true consensus revenue estimate will force the legislature to use an abundance of caution in crafting the nearly \$27 billion state operating budget. House Budget Chairman Tom Flanigan and Senate Appropriations Chairman Kurt Schaefer said the games played by the governor's office have made it nearly impossible to work toward a fiscally responsible budget based on realistic revenue projections.

“As a legislature we want to be fiscally responsible stewards of taxpayer dollars, but it’s a constant fight against a governor who continues to move the goal line any time it suits him,” said Flanigan.

House Committees Release Planned Parenthood Report; Chairs File Legislation

The Missouri House Committees on Children and Families and Ways and Means released their report and legislative recommendations this week following the investigation into the actions of Planned Parenthood in Missouri.

The investigation began following the mention of St. Louis’ Planned Parenthood facility in a series of videos released last summer exposing the organization’s practices. Committee chairs invited top Planned Parenthood officials from its St. Louis region to testify on the organization’s procedures to no avail. As a result, the committees were unable to confirm whether the practices occurred or did not occur in Missouri, and committee leaders said measures stemming from the investigation would be proactive to make certain practices seen in the videos do not occur in the state.

State Representatives Diane Franklin, Children and Families chair, and Andrew Koenig, Ways and Means chair, outlined the investigation’s findings and steps forward to turn gray areas in the state’s abortion laws and regulations black and white. Franklin has filed four abortion bills stemming from the hearings with at least two more bills to come concerning family planning funding prioritization and legislative oversight. Koenig has introduced legislation regarding the abortion-to-disposal process for tracking and reporting purposes.

The bills filed by Franklin and Koenig include:

- HB 2068 that would prohibit a person from knowingly donating or making an anatomical gift of the fetal organs or tissue resulting from an abortion to any person or entity for medical, scientific, experimental, therapeutic, or any other use.
- HB 2069 that would provide whistleblower protections for employees who work in facilities that handle aborted fetal remains.
- HB 2070 that would change the definition of "remains of a human fetus".
- HB 2071 that would require all tissue removed at an abortion to be sent to a pathologist rather than just a representative sample of tissue.
- HB 2371 that would change the law regarding abortions.

“I look forward to moving these and other pieces of legislation to reform the abortion and disposition processes in Missouri,” Franklin said. “The committee hearings were the preliminary steps to taking action to protect and dignify innocent life in Missouri.”

Second Round of Ethics Reform Bills Headed to the Senate (HB 2166, HB 2203, HB 2226)

On the first day of the legislative session, House Speaker Todd Richardson called on the Missouri House to make substantive ethics reform a top priority for the 2016 legislative session. Just a few weeks later, the House had made good on his promise by approving seven separate bills that take a multitude of steps to improve the culture at the state Capitol.

This week the House gave overwhelming approval to HB 2166 to alleviate the undue influence of lobbyists in Jefferson City by banning gifts and meals provided by lobbyists to elected officials; HB 2203 to limit how long campaign funds can be invested and how they can be used; and HB 2226 to prohibit task force and commission appointees from profiting from the recommendations they make. All three bills now head to the Missouri Senate for discussion.

The bills join four pieces of legislation already moving through the Senate. HB 1452 would require elected officials to file a personal financial disclosure twice each year. Current law requires only a single disclosure each year. HB 1575 would require elected officials to report lodging and travel expenses in a timely fashion. The bill requires the expenses to be filed within 30 days of the reportable event. HB 1979 would require elected officials to have a one-year “cooling off” period after leaving office before they could become lobbyists. HB 1983 would make it clear that no statewide official or member of the General Assembly can serve as a paid political consultant while in office. All four bills have already received a public hearing in the Senate Rules, Joint Rules, Resolutions, and Ethics Committee.

Helping Small Businesses to Grow and Prosper (HB 1870)

The House approved and sent to the Senate this week a piece of legislation meant to cut the bureaucratic red tape that too often stifles the growth of small businesses in Missouri. House members approved legislation to revive the Big Government Get Off My Back Act for tax years 2016 through 2021.

The act originally ran from 2009 to 2014 and was instrumental in prohibiting new rules and regulations on small businesses, as well as unnecessary fee increases. The act also gives a \$10,000 tax deduction for any small business, with 50 employees or less, that hires additional employees and pays them at least the average county wage. In its final year in 2014, the act provided tax relief to 196 small businesses throughout Missouri. Proponents hope to provide assistance to even more businesses by reviving the program.

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Jason Smith's Capitol Report: Friday, January 29, 2016

FEBRUARY 01ST 2016 BY DEE LOFLIN

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Congressman Jason Smith Capitol Report: Overriding a Presidential Veto Friday, January 29, 2016

Next week the U.S. House will take the historic action of attempting to override a Presidential Veto. In early January, for the first time since Obamacare was signed into law without a single Republican vote, Congress sent a bill repealing the President's namesake law to his desk. I voted in support of that repeal, a vote which would have dismantled Obamacare, fully defunded Planned Parenthood, and reduced the deficit by \$516 billion.

With that vote, the U.S. House and Senate stood with the American people and delivered Obamacare its biggest blow yet. The bipartisan repeal bill would have ended the catastrophic and costly individual and employer mandates, eliminated a host of associated taxes, and reduced the government intrusion between you and your doctor. Unfortunately, as soon as that bill hit President Obama's desk, he promptly vetoed it.

Next week I will be supporting Congress's first veto override attempt of this President. Simply put, the American people deserve a patient-centered health care system which is free of government intrusion. I will vote to override the President's veto because repealing Obamacare is the right thing to do in order to restore the doctor-patient relationship and get our country on track to create a market based, competitive health care system that's actually affordable.

Obamacare is a failure, even by the government's own standards. The Congressional Budget Office recently reported that by 2025 Obamacare will cost the economy an equivalent of 2 million full-time jobs. Consumers have been left with fewer choices and health care remains un-affordable.

You elected me to put a major repeal of Obamacare on the president's desk and to force him to answer the question, "Whose best interest do you have at heart?" When President Obama vetoed this bill he answered loud and clear, "I've chosen my own legacy and my own interests, over those of hardworking Americans." He cares more about protecting his signature namesake law, than improving the healthcare system in this country. Individuals should have the ability to choose their own doctor. They should be able to purchase affordable, high-quality health care insurance that offers the best healthcare safety net option for their family. Competition without government intrusion should help drive down prices and businesses should not be hampered by confusing and conflicting healthcare regulatory paperwork. Unfortunately, even bipartisan agreement in Congress isn't enough to get this President to accept changes to his namesake healthcare law. I know many will join me next week in attempting to override his veto and I can only hope it's enough. When it comes to affordable and accessible healthcare, we all deserve better.

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