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GENERAL ELECTION – NOVEMBER 8, 2022
BALLOT ISSUES

AMENDMENT 1- MUNICIPAL SECURITIES

Official Ballot Title:

Do you want to amend the Missouri Constitution to:

- *allow the General Assembly to override the current constitutional restrictions of state investments by the state treasurer; and*
- *allow state investments in municipal securities possessing one of the top five highest long term ratings or the highest short term rating?*

State governmental entities estimate no costs and increased interest revenue of \$2 million per year. Local governmental entities estimate no costs and increased interest revenue of at least \$34,000 per year.

Fair Ballot Language

A “**yes**” vote will amend the Missouri Constitution to grant the General Assembly statutory authority to invest state funds and also expand the state treasurer’s investment options. Currently the Constitution grants the General Assembly no statutory investment authority and limits the treasurer’s investment options. This amendment will allow the General Assembly by statute to determine investment avenues for the state treasurer to invest state funds, as well as allow the state treasurer to invest in municipal securities.

A “**no**” vote will not amend the Missouri Constitution and limit the treasurer to investing state funds only in those investment options currently approved by the Constitution.

If passed, this measure will have no impact on taxes.

Summary

This initiative would authorize the state treasurer to invest state funds in highly rated municipal securities. It would also allow the legislature to pass laws allowing the treasurer to invest in "other reasonable and prudent financial instruments and securities."

This is a legislatively referred constitutional amendment (LRCA), which only required a majority of the house and senate to be placed on the ballot. As an LRCA, this measure saw nearly universal bipartisan support, approved 156-1 in the House and 32-0 in the Senate.

Proponents of Amendment 1 Say...

- Proponents believe that this measure would give the state treasurer greater flexibility to invest funds held by the state of Missouri.

Opponents of Amendment 1 Say...

- Opponents say if passed, the Missouri legislature would have too much control over state investments.

AMENDMENT 3 - MARIJUANA LEGALIZATION INITIATIVE

Official Ballot Title:

Do you want to amend the Missouri Constitution to:

- *remove state prohibitions on purchasing, possessing, consuming, using, delivering, manufacturing, and selling marijuana for personal use for adults over the age of twenty-one*
- *require a registration card for personal cultivation with prescribed limits*
- *allow persons with certain marijuana-related non-violent offenses to petition for release from incarceration or parole and probation and have records expunged*
- *establish a lottery selection process to award licenses and certificates*
- *issue equally distributed licenses to each congressional district*
- *impose a six percent tax on the retail price of marijuana to benefit various programs?*

Fiscal Note: State governmental entities estimate initial costs of \$3.1 million; initial revenues of at least \$7.9 million; annual costs of \$5.5 million; annual revenues of at least \$40.8 million. Local governments are estimated to have annual costs of at least \$35,000 and annual revenues of at least \$13.8 million.

“Fair Ballot Language” – A “Yes” Vote

A “**yes**” vote will amend the Missouri Constitution to remove state prohibitions on the purchase, possession, consumption, use, delivery, manufacture, and sale of marijuana for personal use for adults over the age of twenty-one.

The amendment would also allow individuals with certain marijuana-related offenses to petition for release from prison or parole and probation and have their records expunged; along with imposing a 6 percent tax on the retail price of recreational marijuana.

“Fair Ballot Language” – A “No” Vote

A “no” vote will not amend the Missouri Constitution and the sale and use of marijuana for recreational purposes will remain prohibited under current law. Medical marijuana would remain unchanged.

Background information

Missouri voters approved the citizen initiated constitutional amendment on medical marijuana in 2018. That amendment: legalized marijuana for medical purposes; set tax on marijuana sales at 4%; allocated tax revenue to healthcare services for veterans. It passed with more than 65% of the vote.

This is a citizen-initiated constitutional amendment.

Summary

If approved, it would:

- Legalize recreational marijuana use by those 21 and older
- Create regulated marijuana industry
- Remove from public record convictions for non-violent marijuana related offenses
- Allow persons with marijuana-related non-violent offenses to petition for release from incarceration or parole. (When a record is expunged, it means that the record of a conviction is deleted from public record.)
- Missouri would become the 20th state to legalize recreational marijuana use.
- If passed, this measure will impose a 6 percent tax on the retail price of recreational marijuana.

Proponents of Amendment 3 say...

- The public wants to have a safe and legal market.
- The public wants decriminalization of recreational marijuana-related activities.
- Expungement of criminal records for past marijuana offenses is long overdue.

Opponents of Amendment 3 say...

- The amendment limits the number of licenses to commercialize marijuana. This would restrict new businesses from participating in the industry and give an unfair advantage to companies that currently commercialize marijuana. Minorities and low-income Missourians would not be able to get into the industry.
- Minorities and low-income Missourians would face difficulties getting legal resources to expunge records. In addition, fragmented Missouri state drug offense databases make the process difficult.
- Civil penalties that allow fines up to \$100 for smoking marijuana in public would become part of Missouri’s constitution and would continue to be a burden on law enforcement.

AMENDMENT 4 - KANSAS CITY POLICE SPENDING

Official Ballot Title:

Shall the Missouri Constitution be amended to authorize laws, passed before December 31, 2026, that increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities?

State and local governmental entities estimate no additional costs or savings related to this proposal.

“Fair Ballot Language” - A “Yes” Vote

A **“yes”** vote will amend the Missouri Constitution to allow the general assembly by law to increase the minimum funding for a police force established by the state board of police commissioners to ensure such police force has additional resources to serve its communities. Currently the only police force established by the state board of police commissioners is found in Kansas City, Missouri.

“Fair Ballot Language” – A “No” Vote

A **“no”** vote will not amend the Missouri Constitution regarding the funding for a police force established by the state board of police commissioners.

If passed, this measure will have no impact on taxes

Summary

Amendment 4 is a constitutional amendment proposed by the legislature. It only required approval of a majority of House and Senate to be placed on the ballot.

Background Information: Kansas City Police

History shows us that the state took local control away from Kansas City in 1939 because of corruption related to organized crime. Currently, Kansas City is the only city in Missouri, and the largest city in the United States, that does not have locally elected control of its police force.

Instead, the Kansas City police force is controlled by a five-person Board of Police Commissioners made up of four Kansas City residents appointed by the governor, and the mayor of Kansas City.

Missouri law currently requires that Kansas City spend at least 20% of its revenue on the police force. It currently operates above that threshold at about 24%. Oversight of the police budget, including decisions on equipment purchases, hiring of new police officers and police salaries, is controlled by the Board of Police Commissioners, not the Kansas City Council.

In May of 2021 the Kansas City Council voted to re-allocate part of the police budget to include a separate budget for crime prevention and community policing. After allocating those funds, the remaining funds for the proposed police budget was approximately 20%, down from the prior 24%, with the other 4% being used for crime prevention and community policing.

The action taken by the City Council prompted members of the state legislature to introduce legislation that would require Kansas City to spend more than the current funding requirement of 20% of its revenue on the police budget. This proposed Amendment 4 (Senate Joint Resolution 38)

requires voter approval as a ballot measure and seeks to create a special exception to the Missouri Constitution's prohibition of unfunded mandates (the Hancock Amendment).

Proponents of Amendment 4 say...

- The amendment is necessary to prevent the Kansas City Council from reducing police funding.
- The amendment is necessary to ensure that the Kansas City police force has the resources to keep Kansas City safe.
- The Kansas City police department should not be controlled by the City Council.

Opponents of Amendment 4 say...

- The citizens of Kansas City should decide how tax revenue is spent, not the Missouri State Legislature.
- Kansas City should have elected local control over its police force and how crime is fought, both through policing and crime prevention.
- Amendment could have a negative impact on other city services that could see budget cuts.

AMENDMENT 5 – MISSOURI NATIONAL GUARD

Official Ballot Title: *Shall the Missouri National Guard currently under the Missouri Department of Public Safety be its own department, known as the Missouri Department of the National Guard, which shall be required to protect the constitutional rights and civil liberties of Missourians?*

State governmental entities estimate no savings and ongoing costs of \$132,000 annually. Local governmental entities estimate no costs or savings.

Fair Ballot Language

A “yes” vote will amend the Missouri Constitution to create the Missouri Department of the National Guard as a new state agency, headed by an adjutant general appointed by and serving at the pleasure of the governor by and with the advice and consent of the senate.

A “no” vote will not amend the Missouri Constitution regarding the National Guard.

If passed, this measure will have no impact on taxes.

Summary

This bill would create an executive department for the National Guard reporting directly to the governor, rather than the Missouri Department of Public Safety.

This is a Legislatively Referred Constitutional Amendment (LRCA), which only required a majority of the house and senate to be placed on the ballot. As a LRCA, this measure saw nearly universal bipartisan support, approved 126-2 in the Missouri House and 32-0 in the Missouri Senate.

Proponents Say...

- Proponents believe that the National Guard will be more responsive if it reports directly to the governor.

Opponents Say...

- Opponents believe that the normal chain of command would be broken, and that the governor would have too much power over the Guard.

CONSTITUTIONAL CONVENTION QUESTION

Question: *“Shall there be a convention to revise and amend the constitution?”*

Voters vote “Yes” to support a constitutional convention

Voters vote “No” to reject a constitutional convention

“Fair Ballot Language”

- A “yes” vote will require the governor to call an election of delegates to serve at a convention for the purpose of revising or amending the Missouri Constitution. Any revisions or amendments will then be put to a vote of the people for their consideration.
- A “no” vote will mean no constitutional convention will be held.

If passed, this measure will have no impact on taxes.

Background: Constitutional Convention

The Missouri constitution gives the voters the ability to call a constitutional convention every 20 years. (Proposed by Article XII, Section 3(a), Missouri Constitution).

The last time the voters were asked to consider calling a constitutional convention was in 2002. In that election, voters chose not to call a constitutional convention. Voter approval by a simple majority of votes is needed for passage.

If Voters approve:

The Governor calls an election to select 83 delegates.

Delegates’ qualifications: If voters approve the ballot measure, the Governor will call an election to select 83 delegates. A delegate must possess the same qualifications as a state senator, including: being at least 30 years old, a Missouri voter for 3 years and a resident of their district for at least 1 year. A delegate cannot hold another public office.

How delegates are chosen:

Voters in each of the state’s 34 Senate districts would choose two delegates in a special election. The 5 political parties would each be allowed to nominate one candidate for each of the state’s 34 Senate districts. The top 2 vote-getters in each district go to the convention.

This process chooses 68 delegates. Also 15 at large delegate positions elected on a nonpartisan ballot. At-large delegates represent voters in the entire state.

The 15 candidates receiving highest number of votes statewide would be seated.

Convention Rules

The Missouri constitution is not specific on the rules of the convention. There is one requirement that “The sessions of the convention shall be held with open doors”. Any proposed changes to the constitution submitted by the convention, must be approved by voters.

Proponents of a Constitutional Convention say...

- A constitutional convention would be an opportunity to eliminate changes to the constitution made over the last twenty years
- A constitutional convention would allow citizens to enact new reforms without the approval of the governor or the legislature. No veto can block its work and no sanction is needed from lawmakers.

Opponents of a convention say...

- If a Constitutional Convention is approved, it could set off a potentially heated fight - financed by special interests - to shape convention's outcome in elections that will choose the convention delegates.
- The current political atmosphere is not right for a convention, A constitutional convention in the middle of a culture war would attract extreme ideologues across the political spectrum.