



16-041

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JASON KANDER
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

April 9, 2015

The Honorable John Watson
State Auditor
State Capitol Building
Jefferson City, MO 65101

RE: Petition approval request from Winston Apple regarding a proposed statutory amendment to Chapters 130 & 143 (2016-041).

Dear Auditor Watson:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Revised Statutes of Missouri filed by Winston Apple on April 8, 2015.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

Jason Kander

cc: Hon. Chris Koster
Sheri Hoffman
Barbara Wood

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STATE AUDITORS OFFICE

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It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021 RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail, or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable Jason Kander, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or city of St. Louis), respectfully order that the following proposed law shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 9th day of November, 2016, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot Title)

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CIRCULATOR'S AFFIDAVIT STATE OF MISSOURI, COUNTY OF _____
I, _____, being first duly sworn, say (print of type names of signers)

NAME (Signature)	Date Signed	REGISTERED VOTING ADDRESS (Street, No PO Boxes) (City, Town or Village)		Zip Code	Cong Dist	NAME (Print or Typed)
0.						
1.						
2.						
3.						
4.						
5.						

Signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do ____ do not ____ (check one) expect to be paid for circulating this petition. If paid, list the payer: _____.

Signature of Affiant (Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant

Subscribed and sworn to before me this ____ day of _____, A. D. _____.

Signature of Notary
Address of Notary: _____

Notary Public (Seal)
My commission expires _____

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Be it enacted by the people of Missouri:

Two new sections of the Revised Missouri Statutes are hereby enacted, to be known as sections 130.230 and 143.990, to read as follows:

130.230. 1. "The Missouri elections trust fund" is hereby created to provide public financing for candidates for office in Missouri who agree to accept and meet certain conditions and limitations.

2. The government by the people trust fund will be administered by a board of trustees, consisting of seven members, to be nominated by the governor and approved by the senate, to be known as the "public finance commission."

(1) No individual may be appointed to the public finance commission who is:

(a) a government employee;

(b) a registered lobbyist, or who has been a registered lobbyist at any time during the 5-year period preceding their appointment to the commission;

(c) an officer or employee of a political party or political campaign;

(d) an elected official, senator, or representative.

(2) Members of the public finance commission shall be appointed for a term of five years; except the second and third classes of the first seven members of the public finance commission, who shall be divided into three classes, as follows;

(a) The first three members to be confirmed shall serve a full five year term;

(b) The fourth and fifth members to be confirmed shall serve a three year term;

(c) The sixth and seventh members to be confirmed shall serve a one-year term.

(3) Members of the public finance commission may be removed from office if convicted of fraud or mismanagement of funds administered by the public finance commission, or conviction of a felony.

3. Members of the public finance commission will be reimbursed for travel and other expenses at the prevailing rate for other employees and officers of the state of Missouri.

5. The funds collected under this program will be distributed only to candidates who accept the conditions required to qualify for public financing.

6. Candidates accepting public funds must agree to and meet the following conditions:

(1) Not to accept contributions from corporations or political action committees that include corporate contributions in their fund-raising;

(2) Not to accept donations totaling more than \$500 from any individual or other source, excluding a political party of which they are a member, during an election cycle (defined as the period between two general elections for the same office); and

(3) That at least half of the money they raise will come from individuals, political action committees, or other sources that contribute no more than \$100 to them during an election cycle.

7. The funding provided to eligible candidates will be in the form of matching funds, with the size of the match (2 to 1; 5 to 1; etcetera) to be determined by the commission based on the total amount of money raised by all candidates who have elected to accept public funds and the total amount of money available from the fund during each election year.

(1) Thirty-five percent of the funds available shall be distributed on the first day of June of each general election year, based on total monetary contributions received during the election cycle up to the date of the quarterly report filed with the Missouri Ethics Commission for the quarter ending on the thirty-first day of March. (In-kind contributions are not eligible for matching funds.)

(2) The balance of available funds shall be distributed on the third Monday in September of each general election year to eligible candidates in the general election, based on total monetary contributions received and reported through the thirtieth day of August.

8. When a candidate or committee files a termination statement and disclosure report with the Missouri Ethics Commission, any and all funds remaining after dissolving any debt are to be paid over to the government by the people fund, up to and including an amount equal to the full amount of matching funds received by said candidate.

143.990. 1. In each taxable year beginning on or after January 1, 2016, each individual or corporation having paid state income taxes in the amount of twenty-five dollars or more may designate that five dollars of the tax paid shall be paid over to the Missouri elections trust fund as provided in section 130.230. In the case of a husband and wife with a filing status of married filing combined having paid state income tax in the amount of fifty dollars or more, each spouse may designate that five dollars shall be paid to the fund.

2. The designation authorized by this section shall be clearly and unambiguously printed on the same page of each income tax return form provided by the state upon which the amount of the amount of tax owed is indicated, and shall provide a statement that contributing to the fund will not increase the amount of tax owed or reduce the amount of overpayment to be refunded. The department of revenue shall deposit such amount to the Missouri election trust fund as created in section 130.230.