

# **A 747% TAX INCREASE!** **ENOUGH IS ENOUGH**

 **Vote NO on Amendment 3!**

## **Top 15 Reasons To Oppose Big Tobacco's Amendment 3 & Vote NO on November 8<sup>th</sup>!**

It doesn't matter if you're a Democrat, Republican or Independent, a conservative, liberal or moderate, there is something in Amendment 3 for everyone and every group not to like and to "Vote NO on November 8<sup>th</sup>!"

- 1. It's About Big Tobacco's Profits, Not Kids.**
- 2. Don't Put Big Tobacco's Schemes In Our Constitution: Gag Orders, Etc.**
- 3. There Is No Such Thing As A "Lock Box": Politicians Could Divert The Money.**
- 4. Slush Fund For Greedy Political Insiders.**
- 5. Opposed by American Cancer Society & Other Health Care Groups.**
- 6. Opposed by Pro-Choice & Pro-Life Groups: Planned Parenthood, Concerned Women for America, Missouri Alliance for Freedom, NARAL, Etc.**
- 7. Opposed by Teacher & Education Groups: MNEA, Etc.**
- 8. Opposed by Chris Koster, Eric Greitens & 110+ State Legislators.**
- 9. Opposed by Medical Research & Stem Cell Groups: Stowers Institute, Washington University, Etc.**
- 10. Opposed By Grassroots & Progressive Organizations: ACLU of Missouri, Mobilize Missouri, Freedom, Inc., AFT St. Louis Local 420, AFL-CIO, Etc.**
- 11. Opposed By Newspaper Editorial Boards: Kansas City Star, Columbia Daily Tribune, Springfield News-Leader, St. Joseph News-Press, Quincy Herald-Whig, Etc.**
- 12. Opposed By Farmers.**
- 13. An Outrageous & Unfair 747% Tax Increase!**
- 14. Early Childhood Funds Are Not Distributed Based On Income Or Need.**
- 15. Don't Mess With The Constitution.**

### **1. It's About Big Tobacco's Profits, Not Kids.**

Big Tobacco's Amendment 3 is a scam. Big Tobacco is funding Amendment 3 (\$12 million and counting!) because it increases Big Tobacco's cigarette profits and market share by massively and unfairly taxing and targeting their competition. It's not about helping kids.

► It's like Coke asking Missouri voters to pass a special tax on Pepsi, or McDonalds wanting to tax Burger King. It's just not right.

▶ Always follow the money. And beware of Joe Camel.

## 2. Don't Put Big Tobacco's Schemes In Our Constitution.

Big Tobacco's Amendment 3 would change our Constitution and enshrine Big Tobacco's secret schemes and deals forever unless changed by a vote of the people. For example:

▶ **Gag Order 1:** Funds can't be used to lobby for any tobacco tax increase or any prohibition or limitation on the sales or use of tobacco products.  
[See Amendment 3, Section 54(c).3, last sentence].

▶ **Gag Order 2:** Funds can't be used for "tobacco related research of any kind".  
[See Amendment 3, Section 54(b).2, second from last sentence].

▶ **Only Taxes Cigarettes:** Does not increase the tax on Big Tobacco's top sellers including cigars, chewing tobacco and pipe tobacco.

▶ **Crushes Big Tobacco's Competition:** A special, targeted 394% tax increase (more than half of the total 747% increase) which applies only to Big Tobacco's competition, helps to settle old scores and automatically increases at least 3% every year forever without a vote of the people.  
[See Amendment 3, Section 54(c).2].

## 3. There Is No Such Thing As A "Lock Box": Politicians Could Divert The Money.

We all know that Missouri's budget is a shell-game. There is no such thing as a "lock box" which guarantees the money will go to early childhood education and that it couldn't be diverted, decreased or offset by politicians and bureaucrats.

Remember the broken funding promises that came with the Lottery and casinos? Fool me once, shame on you. Fool me twice, shame on me.

▶ Everyone agrees that the money generated by Big Tobacco's Amendment 3 tax scheme must flow through Jefferson City and the appropriations process. This means that 197 state legislators, 1 Governor and countless unelected and unaccountable bureaucrats, have many opportunities to divert, decrease or offset Amendment 3 funds.

If you believe Big Tobacco has created some sort of tamper-proof "lock box", then you haven't been paying much attention to money and politics the last 40 years or so.

▶ Article III, Section 36 of the Missouri Constitution requires that all state revenue go through the appropriations process. Amendment 3 does not expressly exempt its funds from the appropriations process, and Big Tobacco acknowledged that Amendment 3 funds are still subject to appropriation when they stated in their legal filings: "As discussed above, Amendment 3 contemplates that, just as with the old CBEC Fund, the General Assembly will appropriate monies in the ECC's new fund."

► In *State ex rel. Kansas City Symphony v. State*, 311 S.W.3d 272 (Mo. App. 2010), the Western District Court of Appeals addressed whether the State was required by statute to provide tax revenue funding for the Missouri Arts Council Trust Fund. The Court found "[t]he provision directing a transfer of funds from the general revenue fund to the Arts Trust Fund does not obviate the need for appropriation . . . The legislature is permitted to establish a special fund and allocate revenue to that fund, but the actual disbursement of such funds is nonetheless subject to appropriation by future legislators . . . To otherwise interpret the statute as avoiding the appropriations process would render it unconstitutional under article III, section 36."

#### **4. Slush Fund For Greedy Political Insiders.**

Big Tobacco's Amendment 3 creates a commission of 13 unelected and unaccountable bureaucrats who control and distribute hundreds of millions of dollars per year. How is this a good idea?

[See Amendment 3 Section 54(b).3].

► The Big Tobacco Amendment 3 funds that actually make it through 197 state legislators and the appropriations process in Jefferson City will be controlled by a commission of 13 unelected and unaccountable bureaucrats who have the Constitutional authority to distribute these public funds to private and religious schools and to health care facilities that provide abortion services so long as the abortion services are "limited to medical emergencies."

This is dangerous public policy and bad fiscal policy.

#### **5. Opposed by American Cancer Society & Other Health Care Groups.**

Big Tobacco's Amendment 3 is such a terrible idea it's opposed by health care groups that typically support tobacco tax increases including the American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, and the Campaign For Tobacco-Free Kids.

► "R.J. Reynolds' current campaign contributions totaling more than \$5 million in support of a tobacco tax proposal are unprecedented. Reynolds, best known for their infamous Joe Camel cartoon, is notorious for its aggressive efforts to lure kids into smoking. Missouri voters shouldn't let the tobacco industry write policies that ultimately keep our state's youth hooked on these deadly products." (Joint Statement, 10/3/16).

[http://www.mpca.org/resource/resmgr/2016\\_tobacco/100316\\_pho\\_press\\_release.pdf](http://www.mpca.org/resource/resmgr/2016_tobacco/100316_pho_press_release.pdf)

► "Undoubtedly, it is profit – not public health – that is the true motivation behind the tobacco industry's sudden support of such a small tax, and they should not be determining Missouri's public health policy." (Joint Statement, 3/2/16 Missouri Times).

<http://themissouritimes.com/27441/health-advocates-object-to-tobacco-tax-increase-proposals/>

►“By fighting these other initiatives - while bankrolling the counterproductive Amendment 3 in Missouri - the tobacco companies once again are protecting their profits at the expense of kids and lives. Voters shouldn’t be fooled.” (Matthew L. Myers, President, Campaign for Tobacco-Free Kids, 9/29/16 St. Louis Post-Dispatch).

[http://www.stltoday.com/news/opinion/mailbag/tobacco-industry-knows-amendment-won-t-reduce-smoking/article\\_0e4f11d7-3061-57bf-957d-0f24375a7f03.html](http://www.stltoday.com/news/opinion/mailbag/tobacco-industry-knows-amendment-won-t-reduce-smoking/article_0e4f11d7-3061-57bf-957d-0f24375a7f03.html)

## 6. Opposed by Pro-Choice & Pro-Life Groups.

Planned Parenthood, Concerned Women for America, Missouri Alliance for Freedom and NARAL Pro-Choice Missouri oppose Big Tobacco’s Amendment 3 because for the first time ever it puts the terms “abortion” and “abortion services” in the Missouri Constitution.

Ask yourself this question: Why would Big Tobacco’s tax increase for “early childhood education” ever need to include in our Constitution, for the first time ever, the terms “abortion” and “abortion services”?!?

While it appears as if Big Tobacco’s Amendment 3 money can’t be used to fund abortion services, it absolutely can be paid to health care facilities that provide abortion services so long as the abortion services are “limited to medical emergencies.”

Whether you’re pro-life and want to restrict abortion rights, or pro-choice and want to expand abortion rights, do you really trust Big Tobacco placing these terms in the Missouri Constitution for the first time ever?

And do you further trust unelected and unaccountable federal judges to interpret these brand new and far-reaching terms?

Trust your own eyes. Take a look at the exact proposed Amendment 3 language below and decide for yourself if putting this in the Missouri Constitution for the very first time is a dangerous idea.

“None of the funds collected, distributed, or allocated from the Early Childhood Health and Education Trust Fund shall be expended, paid or granted to or on behalf of any abortion clinic, abortion clinic operator, or outpatient health care facility that provides abortion services, **unless such services are limited to medical emergencies**....” [Emphasis added. See Amendment 3, Section 54(b).2].

►**Missouri Alliance for Freedom:** “Those in the pro-life community should take note that this proposal contains references to abortion and would enshrine them in the state’s constitution. There are many reasons to oppose this tobacco tax scheme, but putting abortion in the state constitution should be no-go for most conservatives.” (Ryan Johnson, President of the Missouri Alliance for Freedom.).

<http://www.missourifreedom.com/>

► **NARAL Pro-Choice Missouri:** “Amendment 3 is attempting to put language in the Missouri Constitution that could restrict abortion rights and important stem cell medical research, treatment and cures.” (9/26/16, Alison Dreith, Executive Director, NARAL Pro-Choice Missouri).

<http://www.prochoicemissouri.org/about-us/staff.shtml>

► **Concerned Women for America:** “The first error is the proclamation that Missouri Right to Life supports the tobacco tax increase. It does not. While it is true that Raise Your Hand for Kids hired one of the best pro-life attorneys in Missouri, they do not have support from any pro-life organizations. In fact, many of us in the pro-life community have many concerns with this proposal.

The second mistake is the suggestion that “medical emergencies” are clearly defined and limited in the law. This is not the case. For several years, the pro-life community, which is conscientious of provisions protecting the life of the mother, has fought efforts to place any reference to allowing abortions for medical emergencies in the state constitution, as Raise Your Hand for Kids has done.

“...I believe placing abortions of any type in the Missouri Constitution for an effort to provide more funds to early childhood education in the state is problematic in many ways.” (3/29/16, Bev Ehlen, Missouri State Director).

<http://www.badformissouri.com/abortions/>

<http://concernedwomen.org/>

► **Planned Parenthood:** “Sarah Felts, a spokeswoman for Planned Parenthood, said that the state’s two Planned Parenthood chapters oppose the measure on the grounds that it would needlessly restrict abortion access.

“It aims to raise the cigarette tax to fund early childhood education, but includes troubling language restricting the ability to share information about as well as provide a safe, legal medical procedure,” she said in a statement.”

<http://themissouritimes.com/35092/amendment-3-week-review/>

## **7. Opposed by Teacher & Education Groups.**

Since 1875, Article IX, Section 8 of the Missouri Constitution has strictly prohibited public tax dollars from being used to support private and religious schools.

Big Tobacco’s Amendment 3 specifically exempts itself from Article IX, Section 8 which means Amendment 3’s new public tax dollars can be used to support private and religious schools.

[See Amendment 3, Section 54(b).2, last sentence].

As a result, Big Tobacco’s Amendment 3 is opposed by the Missouri National Education Association, Missouri Retired Teachers Association and Missouri Association of Rural

Education because for the first time since 1875 it would allow unelected and unaccountable bureaucrats to give public tax dollars to private and religious schools and lacks adequate oversight and quality control.

► **MNEA:** “Charles E. Smith, an English teacher and President of the Missouri National Education Association (MNEA), announced the 35,000 educators of the MNEA will oppose the Raise Your Hand for Kids (RYH4K) constitutional amendment.

“The stakes for children are simply too high to overlook the constitutional amendment’s shortcomings,” said Smith. “The amendment permits public tax dollars to fund programs at elite private or religious schools. It lacks strong oversight and it places all decisions in the hands of an unelected commission a majority of whom do not have a background in education.” (5/25/16 MNEA News Release).

<https://www.mnea.org/Missouri/News/662.aspx>

► **MRTA:**

[http://m.waynecojournalbanner.com/mobile/opinion/letters\\_to\\_editor/article\\_dbe24c4a-2da4-11e6-a5b1-c3f3295897dd.html](http://m.waynecojournalbanner.com/mobile/opinion/letters_to_editor/article_dbe24c4a-2da4-11e6-a5b1-c3f3295897dd.html)

► **MARE:**

<http://www.moare.com/vnews/display.v/SEC/Articles%20of%20Interest%7C%E2%80%9CRaise%20Your%20Hand%20for%20Kids%E2%80%9D%20%28RYH4K%29>

## 8. Opposed by Chris Koster, Eric Greitens & 110+ State Legislators.

They don’t agree on much, but Chris Koster and Eric Greitens, the Democrat and Republican candidates for Governor, both oppose Big Tobacco’s Amendment 3.

**Koster:** "I intend to vote no on both of these proposals. I'm very supportive of early childhood education, but unfortunately have come to the conclusion that the Raise Your Hands for Kids proposal is not well-constructed. It pains me to come to this conclusion because I feel so passionately about early childhood education. However, the reality is that this is a cigarette tax that is to some degree drafted and financed by cigarette companies themselves. More importantly, it creates a second education bureaucracy in Missouri. I truly doubt that we need two separate educational bureaucracies in our state, and there are various constitutional questions with the proposal. The National Education Association, the Rural Education Association and Washington University all hold similar views. When the NEA and Washington University — two of the most pro-education organizations in Missouri — find themselves on the opposite side of an educational funding proposal, it certainly carries a lot of weight and says a lot."

**Greitens:** "No."

► <http://www.wral.com/missouri-gubernatorial-candidates-on-financial-issues/16074398/#sBFV8ckzbGxthsJF.99>

► <http://www.wral.com/missouri-gubernatorial-candidates-on-financial-issues/16074398/>

► <https://twitter.com/jrosenbaum/status/761966802805006336>

► <http://fox2now.com/2016/06/06/watch-full-video-of-the-debate-between-republican-missouri-governors-candidates/>

**Legislators.** In addition, more than 110 state senators and state representatives are opposed to Big Tobacco's Amendment 3 for a variety of reasons and are encouraging their constituents to "Vote NO on November 8<sup>th</sup>!"

► [http://c.ymcdn.com/sites/www.mpca.org/resource/resmgr/2016\\_tobacco/AM3\\_Tobacco\\_IP\\_Press\\_Release.pdf](http://c.ymcdn.com/sites/www.mpca.org/resource/resmgr/2016_tobacco/AM3_Tobacco_IP_Press_Release.pdf)

## 9. Opposed by Medical Research & Stem Cell Groups.

Big Tobacco's Amendment 3 is opposed by the Stowers Institute for Medical Research, BioSTL, Washington University in St. Louis, We Deserve Better, Missouri Biotechnology Association (MOBIO) and Missouri Cures because Amendment 3 is anti-science and anti-research in that it restricts promising stem cell medical research, treatment and cures.

Ask yourself this question: Why would Big Tobacco's Constitutional tax increase for "early childhood education" ever need to include the terms "human cloning" and "human embryonic stem cells"?!?

► **Missouri Cures:** "In the latest threat, anti-science opportunists are exploiting an unrelated ballot initiative that has a stated goal to increase Missouri's tobacco tax to fund early childhood education. They inserted language that has the sole purpose and legal effect of creating a conflict with the Constitution's unambiguous position on stem cell research. It would open the door for anti-science legislation and other tactics in the General Assembly aimed at creating a chilling effect on research. Such legislation could lead to costly and divisive litigation with unpredictable outcomes, bring embarrassment to our state and destabilize our science-friendly environment.

For these reasons, BioSTL, Missouri Cures, Stowers Institute, Washington University, the statewide trade association MOBIO and many others publicly oppose this ballot initiative." (5/13/16 St. Louis Business Journal).

► [http://c.ymcdn.com/sites/www.mpca.org/resource/resmgr/2016\\_Newsletter\\_Attachments/051616\\_DRubin\\_STLBizJnl\\_OpEd.pdf](http://c.ymcdn.com/sites/www.mpca.org/resource/resmgr/2016_Newsletter_Attachments/051616_DRubin_STLBizJnl_OpEd.pdf)

► <http://missouricures.org/2016-big-tobacco-tax-initiative/>

## 10. Opposed By Grassroots & Progressive Organizations.

► **Mobilize Missouri:** "Amendment 3 is an extraordinary farce of government, while purporting to be 'for the kids', it creates a \$500 million dollar trust fund separate from general revenue only allowed to be spent on early childhood education, and smoking cessation programs. While funding these programs are necessary, putting that much money in the hands of a few political appointees is not the type of government Mobilize Missouri wants to encourage. Cigarette taxes are too low, we agree, but this twenty-

page document is suspicious, confusing, and not worthy of becoming a part of the Missouri constitution.” (10/3/16, Tony Zebrowski).

<http://www.mobilizemo.org/>

► **Freedom, Inc. (Kansas City, MO):**

<http://www.freedomincorporated.org/>

► **American Federation of Teachers (AFT) St. Louis Local 420:**

<http://local420.mo.aft.org/>

► **ACLU of Missouri:** “Tucked into one line of Amendment 3, a tobacco tax-early childhood education funding initiative on Missouri’s ballot November 8, is a dangerous clause that could destroy the rights of Missourians to be free from forced support of religious institutions and activities.

“In one hidden line, the makers of Amendment 3 are undermining our American ideal of protecting religion and democracy,” said ACLU of Missouri Executive Director Jeffrey Mittman. “Amendment 3 is a dangerous Trojan Horse that violates the constitutional rights of all Missourians.”

<https://www.aclu-mo.org/>

► **AFL-CIO:**

<http://moaflcio.org/wp-content/uploads/2013/10/Click-Here-for-the-Nov-2016-COPE-GENERAL-Election-Endorsement-Recommendations.pdf>

## **11. Opposed By Newspaper Editorial Boards.**

► **Kansas City Star: 10/6/16.** “The measure is being bankrolled by the parent company of R.J. Reynolds Tobacco Co. It is being opposed by the American Cancer Society Cancer Action Network, American Heart Association, Health Care Foundation of Greater Kansas City and other health groups.

These groups know that this amendment concocted in Big Tobacco’s boardrooms is crafted to increase the industry’s profits. They know that there are provisions in this amendment - such as ones involving abortion and stem-cell research - that would throw this issue into the courts for many years to come delaying or preventing any funding to go to early childhood health.

If this amendment were what it pretends to be on the surface, we would back it gladly. It is not what it pretends to be.”

<http://www.kansascity.com/opinion/editorials/article106427892.html>

► **Columbia Daily Tribune: 10/16/16:** “As a general proposition, enacting a particular tax increase of this kind by amending the constitution is not a good idea. I can sympathize with proponents frustrated with the inaction of state legislators, but when they suggest enacting tax increases by way of constitutional amendment, they should at least make the language simple and entirely to the point. Amendment 3 has too many troublesome ancillary implications. A “clean” tobacco tax increase would have more public purchase. Missouri’s is the lowest cigarette tax in the nation, and our spending is in the bottom 25 percent. But given the substantial opposition that has arisen, I doubt Amendment 3 will pass.

I plan to vote “No” and continue to work for a better way to increase early education. Missouri is behind most states in funding. We should do better.”

[http://www.columbiatribune.com/opinion/the\\_tribunes\\_view/amendment/article\\_e581c02b-a844-5c16-94ca-50c981abc7cb.html](http://www.columbiatribune.com/opinion/the_tribunes_view/amendment/article_e581c02b-a844-5c16-94ca-50c981abc7cb.html)

► **Columbia Daily Tribune: 4/29/16.** “Original supporters of the initiative touted funding for early childhood education, but their proposal is infected with unrelated provisions causing many to jump ship. The valuable cause of early education can’t carry the weight of the pernicious additives.”

[http://www.columbiatribune.com/opinion/the\\_tribunes\\_view/early-childhood-education/article\\_92b9ee52-99b8-5924-a584-efdbd12d450a.html](http://www.columbiatribune.com/opinion/the_tribunes_view/early-childhood-education/article_92b9ee52-99b8-5924-a584-efdbd12d450a.html)

► **Springfield News-Leader: 10/29/16.** “It also raises some money for early childhood education, but there are too many questions around the distribution of those funds, including concern that private schools could take up too much of the money.

The amendment also comes with a lot of extra baggage in limits on the study of the effects of tobacco and stem-cell research.

And that’s part of why it’s the tobacco industry that’s pushing the change. It’s a classic example of a wolf in sheep’s clothing.”

<http://www.news-leader.com/story/opinion/editorials/2016/10/29/voice-cigarette-tax-issues-harm-good/92987022/>

► **Jefferson City News Tribune: 10/23/16.** “On matters of public policy, choosing the lesser of two evils is ill-advised. Based on their respective flaws, both Amendment 3 and Proposition A deserve to be rejected.”

<http://www.newstribune.com/news/story/story/2016/Oct/23/our-opinion-reject-both-tobacco-hike-proposals/645957/>

► **St. Joseph News-Press: 10/11/16.** “Missouri needs to do more to invest in early childhood education and health - the premise of Amendment 3 and its aspiration to raise about \$300 million annually for these services. But opponents have identified a multitude of problems with this ballot language. They also raise valid concerns that tobacco giant Reynolds American has funneled millions of dollars into advancing this proposal.”

[http://www.newspressnow.com/opinion/editorials/cigarette-taxes-not-all-they-seem/article\\_3a124a16-dc29-53c5-b319-fcef8e94d8af.html](http://www.newspressnow.com/opinion/editorials/cigarette-taxes-not-all-they-seem/article_3a124a16-dc29-53c5-b319-fcef8e94d8af.html)

► **Hannibal Courier-Post: 10/14/16.** “Look at Amendment 3 as what it is — a deceptive, poorly-drafted measure that clutters the state’s constitution and aims to keep big tobacco big. This gets an emphatic “no” from us.”

<http://www.hannibal.net/opinion/20161014/courier-post-editorial-amendments-receive-mixed-reviews>

► **Joplin Globe: 10/16/16.** “You don’t have to be neck deep in Table Rock Lake to know that something smells fishy.... And as you might expect with something being foisted off on us by tobacco companies, these proposals have some toxic provisions:

Amendment 3 is written in such a way that none of the money collected from the tax can be used for tobacco-related research of any kind.

Proposition A has language that says the 23-cent tax increase would be repealed if any city or county in Missouri on if the state merely attempts to put any other tobacco tax or fee on a local or statewide ballot. Mind you, the issue doesn’t have to pass; it only has to be certified for the ballot.

There are numerous other poisonous provisions in the proposals, too.”

[http://www.joplinglobe.com/opinion/columns/our-view-tobacco-proposals-too-toxic/article\\_8a22dd8f-c13d-582f-bb0f-e089aadd60f7.html](http://www.joplinglobe.com/opinion/columns/our-view-tobacco-proposals-too-toxic/article_8a22dd8f-c13d-582f-bb0f-e089aadd60f7.html)

◦ **Sikeston Standard Democrat: 10/22/16.** “But as is so often the case, the devil is in the details. Sponsored and funded by the tobacco industry, this measure is like a Christmas tree with enough ornaments to light up a room....We recommend a no vote on this measure.”

<http://standard-democrat.com/news/42816/nov-8-ballot-includes-a-variety-of-issues/>

► **Quincy Herald-Whig: 10/26/16.** “But major tobacco firms are bankrolling this initiative, in part to raise the cost for discount-brand competitors. Provisions in the measure involving abortion and stem-cell research also mean it would likely be challenged in court for years, delaying any potential funding.

Moreover, the measure would send money to private and religious schools, now prohibited in the Constitution, and would forbid using funds for "tobacco-related research of any kind."

More than 100 state legislators oppose the initiative, along with the American Cancer Society, American Heart Association, Tobacco-Free Missouri, Missouri Retired Teachers Association and Missouri Association of Rural Educators.

Voters should say no to Amendment 3, and instead urge lawmakers to adequately address education funding.”

## 12. Opposed By Farmers.

### ►Hal Swaney: Platte City, MO. Tobacco Farmer/Missouri Farm Bureau Member.

“Dear Editor: As a second generation farmer, I am all too familiar with taxes and regulations that begin with noble intentions and end with unintended consequences. Take for instance the troubling provisions contained in Amendment 3-the “Raise Your Hands for Kids” measure which receives 90% of funding from *out-of-state* interests. These are the same interests seeking to raise taxes on smaller competitors in order to gain increased market share.

This inequitable proposal does **not** raise taxes across the board on tobacco products, companies *nor* manufacturers. My question is, why does the proposal single out certain entities for an almost 750% increase while only raising taxes by a fraction of that amount for their own companies?

In addition to the flawed and unfair taxation provisions, this proposal would add language to the state constitution relating to the funding of “emergency services” for women, drawing the ire of folks in the pro-life community, such as myself. When you factor in opposition from education and health-related entities, groups traditionally supportive of increased tobacco taxes, it becomes apparent how problematic this flawed proposal is.

I began farming 45 years ago and raising tobacco is what helped my family survive the farming crisis in the 1980s. This proposal is harmful to farmers such as myself. This November, I encourage fellow members of the Missouri Farm Bureau and all Missourians to oppose Amendment 3’s troubling provisions.”

### ►Janet Mershon: Buckner, MO. Member of the Missouri Farm Bureau & Jackson County MFB Board.

“Dear Editor: Constitutional amendment 3, a cigarette tax increase, will be on Missouri’s ballot this November and it proposes raising the tax on *select* companies by nearly **750%**. As you can imagine, this is being pushed by outstate, big tobacco companies. This proposal equates to an unfair and grossly inequitable tax increase on their smaller competition. Special interests tout the initiative is about education, however, it really boils down to one thing: big tobacco’s bottom line.

Interestingly enough, public health organizations like the American Heart and Lung Associations and education groups like Missouri National Education Association, Missouri Retired Teachers Association and Missouri Association of Rural Education have publicly opposed amendment 3. Why? Because the devil is in the details...the details voters won’t see at the ballot box.

From a farming standpoint, I oppose this measure due to the negative impact this will have on Missouri’s agriculture industry, which, by the way, is Missouri’s top economic

producer. This exorbitant tax increase will prove detrimental to family-owned businesses and to the agriculture community in our great state.

For these reasons and more, I urge others to vote **NO** on amendment 3 this November.”

### **13. An Outrageous & Unfair 747% Tax Increase!**

Big Tobacco’s Amendment 3 is an outrageous and unfair 747% Constitutional tax increase, some of which automatically increases every year forever without a vote of the people.

▶Big Tobacco products will see a 60¢ per pack increase phased-in 15¢ per year on 1/1/17, 1/1/18, 1/1/19 and 1/1/20.

[See Amendment 3, Section 54(c).1].

▶Little Tobacco products will see the same 60¢ per pack increase phased-in 15¢ per year on 1/1/17, 1/1/18, 1/1/19 and 1/1/20 **PLUS** a 67¢ per pack increase on Little Tobacco products **ONLY** that is effective all at once on 1/1/17 and that automatically increases by at least 3% every year forever without a vote of the people.

[See Amendment 3, Section 54(c).2].

▶Again, it’s like Coke asking Missouri voters to pass a special tax on Pepsi, or McDonalds wanting to tax Burger King. It’s just not right.

### **14. Early Childhood Funds Are Not Distributed Based On Income Or Need.**

The funds generated by Big Tobacco’s Amendment 3 will not be distributed based upon need or income. Recipients are not “means tested”. The only provisions in Big Tobacco’s Amendment 3 which addresses distribution of funds are as follows:

“The Commission shall ensure **a fair and equitable distribution of funds distributed as grants based on the established residency population** of children ages birth through five.”

[Emphasis added. See Amendment 3, Section 54(b).3].

### **15. Don’t Mess With The Constitution.**

Big Tobacco’s terribly flawed Amendment 3 scam does not belong in the Missouri Constitution alongside our cherished rights of religious freedom, freedom of speech and due process of law.

**Please Urge 10 Friends & Family To Vote “No!” On Amendment 3!**  
**For more information, visit [www.mPCA.org](http://www.mPCA.org) or [www.BadForMissouri.com](http://www.BadForMissouri.com)**

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