

FOR IMMEDIATE RELEASE

Statewide MOSIRA Coalition Disappointed by Circuit Judge's Ruling on lawsuit challenge MOSIRA; Remains Resolved to Passing and Implementing MOSIRA

February 21, 2012 - The statewide MOSIRA Coalition is disappointed in yesterday's ruling by Cole County Circuit Judge Dan Green blocking the implementation of the Missouri Science and Innovation Reinvestment Act (MOSIRA) as passed during last fall's special session of the Missouri General Assembly.

It is important to note that the substantive public policy provisions of the MOSIRA legislation, relating to job creation and economic growth, were not challenged or addressed in the narrow, written ruling. Rather, the judge limited his review to a single question of law regarding whether the legislature's use of a contingency clause was an unconstitutional interference on executive branch authority. Judge Green disagreed with the legislature's inclusion of a contingency clause that tied passage of MOSIRA to passage of the larger economic bill and attempted to restrain the Governor's constitutional authority to sign or veto the bill.

The court said it was not convinced that SB7 MOSIRA would have passed without the contingency clause. However, according to Senate President Pro Tem Rob Mayer, within a David Lieb Associated Press story of October 21, 2011:

Although he had attached the contingency clause to the legislation, Senate President Pro Tem Rob Mayer said Friday that he was fine with Nixon's decision to essentially disregard the clause and implement the law. Mayer said he attached the contingent wording in hopes that it would provide an impetus to pass the separate economic development bill. But "I think MOSIRA would have passed regardless of whether the contingency clause was in there or not," said Mayer, R-Dexter.

MOSIRA is a proven model to grow high tech companies, create high paying jobs, and bring a return on investment that the public is expecting. At a time when the public is demanding that we grow our economy, the MOSIRA legislation does just that.

We are confident that the overwhelming public support and business leadership across the state will encourage the legislature to follow-through on the establishment of MOSIRA.

"MOSIRA has enjoyed bipartisan support in both chambers of the legislature for years," said Kelly Gillespie, Executive Director of the Missouri Biotechnology Association. "This is too important to the future of our state, its citizens and its economy not to get this legislation passed. MOSIRA deserves the follow-through of the General Assembly, and we will continue to work with them to pass, implement and fund MOSIRA."

The MOSIRA Coalition is composed of business, civic, academic, and high-tech organizations from all parts of the state, representing active leadership involvement across the business spectrum. Additional information may be found at

www.mobio.org/reinvestmentact.

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