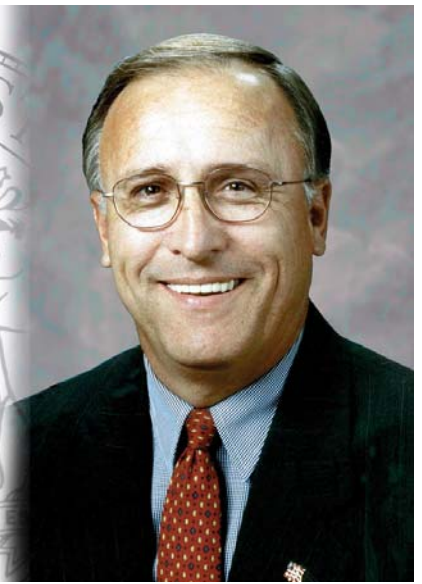
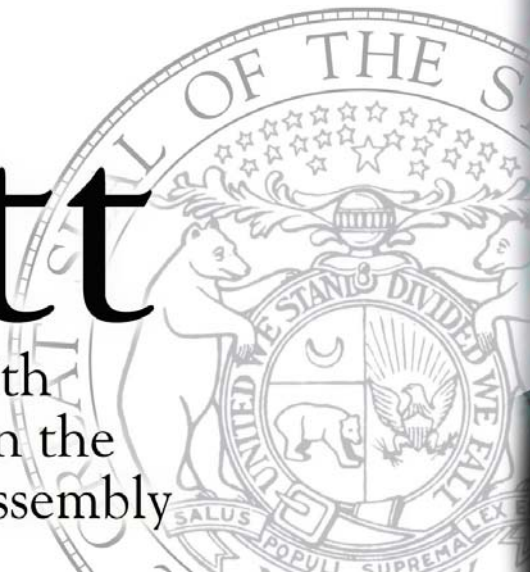


State Senator  
**Delbert  
Scott**

Representing the 28th  
Senatorial District in the  
Missouri General Assembly



## Legislative Report — Fall 2006

Missouri lawmakers took important steps this year to ensure fair and honest elections, to protect private property, and to crack down on criminals who prey upon our children.

I was proud to sponsor the Missouri Voter Protection Act this year, which will improve our election process by reducing the type of rampant voter fraud we witnessed during the 2000 and 2004 elections. This new law will require voters to show a photo identification before casting a ballot. Since most Missourians already have a photo ID, this requirement should pose no hardship. For those who do not have a photo ID, the state is in the process of providing one at no cost. (See page 5 for more information.)

Lawmakers also responded to last year's U.S. Supreme Court decision granting developers too much power to condemn private property for economic development by imposing new restrictions on the power of eminent domain.

The Legislature also adopted a strong crime bill that targets those who sexually assault children. The measure imposes lengthy prison sentences for criminals who prey on children and targets child predators who use the Internet to entice unsuspecting children online.

I would like to invite you to visit the Capitol anytime during the year. We have had many special guests visit us this session, and we welcome those who visit their Capitol to see the legislature in action.

Thank you for giving me the privilege to serve in the Missouri Senate - it is a great honor to serve as your voice in Jefferson City.

Sincerely,

A handwritten signature in black ink that reads "Delbert Scott".

### Contact Senator Scott:



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E-MAIL: [delbertscott@senate.mo.gov](mailto:delbertscott@senate.mo.gov)  
ONLINE: [www.senate.mo.gov/scott](http://www.senate.mo.gov/scott)



WRITE OR STOP BY:  
200 W. Capitol Ave.  
Rm. 221  
Jefferson City, MO 65101

# Reining in Eminent Domain Abuse

Senate Passes Bill Putting the Rights of Homeowners First

The Missouri Legislature has passed legislation to help protect homeowners, farmers and small businesses from municipalities and developers that abuse their power of eminent domain.

This legislation was needed because of a 2005 U.S. Supreme Court decision that ruled that governments can legally seize the homes of private citizens and give their land to private developers for the purpose of building new businesses.

House Bill 1944, signed into law by Governor Blunt on July 13, protects the private property rights of homeowners by tightening requirements for when eminent domain can be used.

The legislation also dramatically increases the ability of property owners whose property is taken by eminent domain to be paid fairly for what their property is worth.

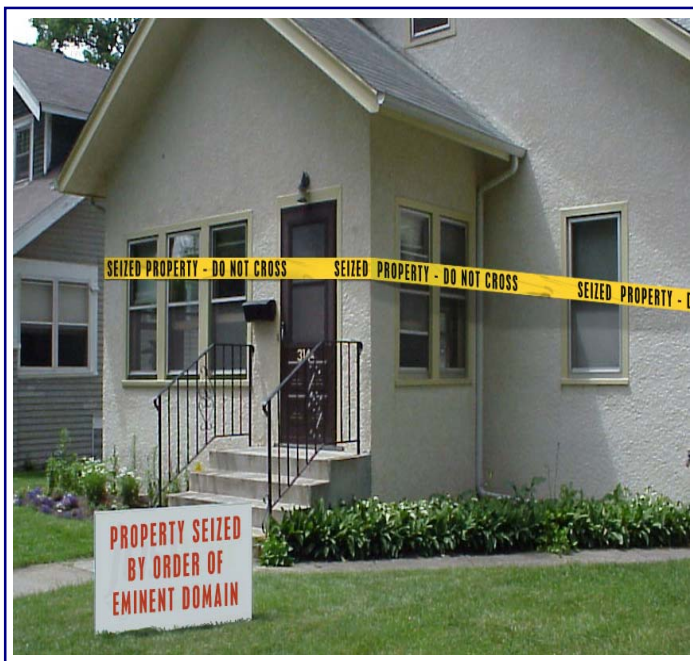


## Eminent Domain Legislation

As soon as the Supreme Court's Kelo v. City of New London decision was handed down in 2005, Missouri officials made it a top priority to draft and implement legislation offering Missourians protections against eminent domain abuse.

### The Property Protection Bill (HB 1944):

- States that no condemning authority can acquire private property through eminent domain solely for economic development purposes.
- Gives those whose land is taken an extra 25 percent over the fair market value of their property.
- Gives those whose land is taken an extra 50 percent over fair market value if a family is required to give up property they've owned for more than 50 years.
- Establishes the Office of Ombudsman to assist citizens seeking information regarding the eminent domain process.
- Prevents farmland from being declared blighted for eminent domain purposes.



**“Nothing is to prevent the state from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory.”**

— Justice Sandra Day O'Connor, dissenting from the Kelo decision

# Stopping Child Sexual Assault

Shortly before the legislative session ended on May 12, the Legislature passed a bill dramatically increasing the penalties on predators who sexually abuse children. This new law was inspired by the horrific assault and murder last year of 9-year-old Jessica Lunsford of Florida and will help ensure that dangerous predators receive the strict punishment their crimes deserve.

Shortly after this terrible crime in April 2005, Sen. Scott publicly committed to cracking down on child sexual crimes in Missouri. To that end, he co-sponsored the Senate version of this year's sex-crimes bill and was supportive of the House version (HB 1698), which was ultimately passed and sent to the governor to be signed into law.

**The main components of HB 1698 are as follows:**

**30-Year Mandatory Prison Sentences:** This penalty is for criminals convicted of forcible rape or sodomy of a child under the age of 12, even for first-time offenders.

**Mandatory Life Sentences:**

Those who are convicted of a second qualifying sexual offense against a child must serve a mandatory life sentence without the possibility of parole.

**Cybercrimes Unit:** In response to the unprecedented growth of child predators on the Internet, this provision authorizes the creation of a panel to distribute grants to law enforcement task forces to patrol cyberspace and hunt down and bring to justice predators attempting to entice unsuspecting children online.

**Sexual Assault by a Teacher:** This measure expands the crime of sexual contact with a student. The crime now includes sexual contact with a student by a teacher, student teacher, employee of the school, volunteer of the school or of an organization working with the school, or a person employed by a contractor providing services to the school.

**Sexual Trafficking of a Child:** Those found guilty of sexual trafficking of a child younger than 12 years of age will face a felony punishable by life in prison without eligibility for parole for 25 years.

Our society and our state cannot sit by and allow children, the weakest and most vulnerable among us, to be victims of these heinous predators. The passage of HB 1698 substantially increases the sentences for these violent acts.

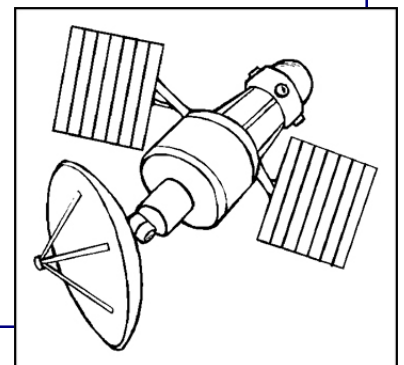


*Sen. Scott reads to a group of students from Lakeland Elementary.*

## GPS Tracking of Sexual Predators of Children

In May 2005, in response to the murder and sexual assault of a child in Florida, Missouri lawmakers attached language onto a crime bill that was moving through the Legislature requiring anyone convicted of certain sexual crimes, one of which is against a child under the age of 14, to wear a GPS tracking unit, even after they are released from prison at the completion of their sentence.

In an age of increasing sexual assaults on children, it is vital that law enforcement be able to monitor the whereabouts of those responsible for such terrible acts. Requiring repeat sexual offenders to wear a GPS tracking device will help ensure that the Missouri Department of Corrections is able to oversee the activities of those who have shown a proclivity to sexually assault children.



# Reforming Missouri's Foundation Formula: More Money for Schools

Last year, the Legislature took on the difficult task of revising Missouri's outdated education funding formula. In the end we passed a bill establishing a new formula for funding public schools that distributes education funds more equitably and is based on the needs of students, not local tax rates. The new plan will implement an \$800 million increase in the annual budget for public schools over the course of seven years.

Under the old plan, per-pupil funding in Missouri school districts varied from \$5,000 to \$13,000. However, our

new formula determines a minimum per-pupil dollar figure needed to provide our students with an adequate education and adjusts funding according to the differing costs of living in Missouri school districts. No Missouri school district will see a reduction in state funding under the new system.

One of the Legislature's most important jobs is to provide for the education of Missouri's children. Missouri's new foundation formula funds public schools at unprecedented levels.



*Sen. Scott discusses educational issues with a group of teachers from Sedalia.*

## Important Education Legislation

**HB 1002 — Funding Missouri Schools (2006):** The budget for Fiscal Year 2007 includes a \$127 million increase for the school foundation formula and \$15 million for the Small Schools Grant program. The Department of Elementary and Secondary Education will get \$5 billion in total funding.

**SB 580 — Education Administration (2006):** Requires the commissioner of Higher Education, the chair of the Coordinating Board for Higher Education, the director of the Department of Economic Development and others to meet and discuss ways to achieve a more efficient and effective education system. The officials are charged with developing a system that more adequately prepares students for the workforce.

**HB 1245 — School Nurses (2006):** Allows school nurses to keep on hand and administer prefilled syringes of epinephrine to any student who the nurse believes is having an anaphylactic reaction.

**SB 103 — Cutting "Red Tape" for Schools (2005):** Responding to a request by a local school official, last year lawmakers passed this bill allowing school districts to convene subcommittees to rule on pupil-residency waiver requests instead of requiring action by full boards.

*The new foundation formula implements statewide funding increases over the next several years, beginning in Fiscal Year 2007. The foundation formula is one part of overall funding for K-12 education. Federal funds and other revenue sources raise overall funding levels.*

# Ensuring Fair and Honest Elections

The Missouri Voter Protection Act\* (SB 1014) is designed to protect the right of all Missourians to vote in fair and honest elections. This important legislation will improve Missouri's election process by reducing election fraud, reforming the voter registration process, and extending provisional balloting to all ballot issues.

In an effort to restore confidence in the election process, SB 1014 would require all voters to provide a photo identification before casting a ballot. This will not pose an inconvenience since more than 95-percent of Missourians of voting age already have an acceptable form of photo ID, such as a driver's license. For those who don't, the state will provide one for free.

Additionally, voters born on or before January 1, 1941, will be allowed to cast a provisional ballot. SB 1014 also requires provisional ballots to be processed before the election results are certified,

ensuring that every valid vote counts.

For elections on or before November 1, 2008, voters who appear at their polling place without a proper ID can cast a provisional ballot after signing an affidavit verifying their identity and presenting certain forms of identification:

- Any state identification
- Federal identification
- An ID from an institution of higher education
- A copy of a current utility bill, bank statement, government check, paycheck, or other government document with the voter's name and address
- A driver's license or state ID card from another state

The Missouri Voter Protection Act will help make it easy to vote, but tough to cheat.

\*At this writing, some provisions of the new law are being challenged in court.

## Legislature Sends \$20.8 Billion State Operating Budget to the Governor

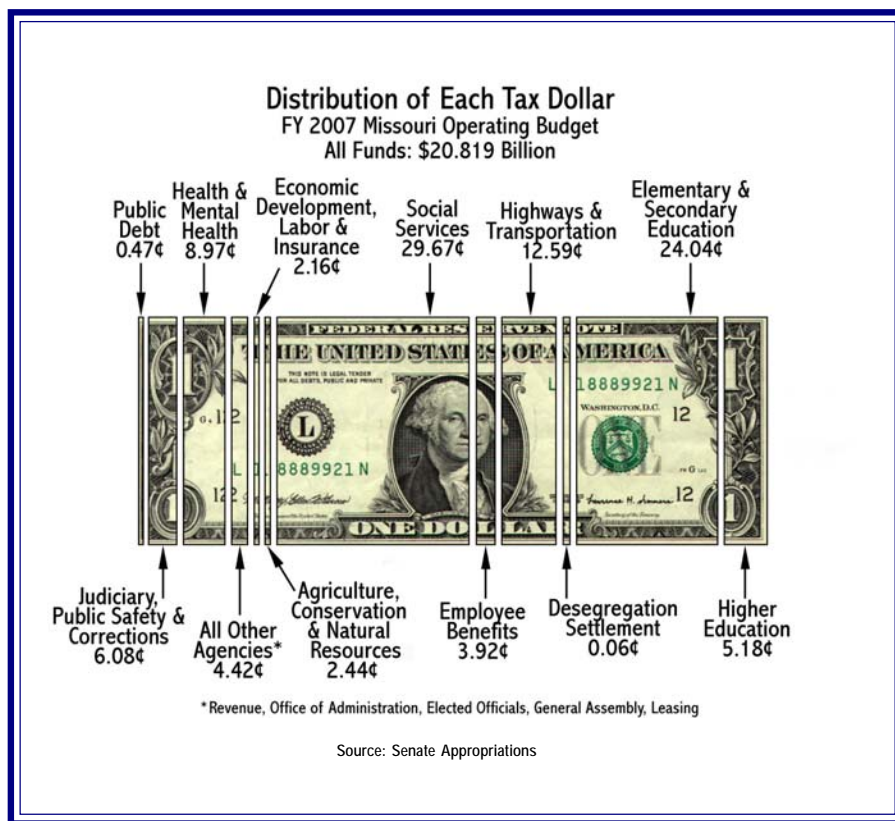
The General Assembly gave final approval to the budget for the fiscal year, which began July 1. The budget, made up of HBs 1001-1013, represents Missouri's expected appropriations and revenues for the 2007 fiscal year. The approximately \$20.8 billion budget was signed by the governor June 29.

The budget includes the return of some state health-care services compromised last year. Services that had been subject to appropriations last year, such as funding for eyeglasses and wheelchair components for adult Medicaid recipients, are now guaranteed.

Also under the spending plan, Missouri's K-12 funding formula will receive an additional \$142 million.

Among state departments, the Department of Social Services receives the most funding with an approximately \$6.2 billion appropriation.

The Department of Elementary and Secondary Education will receive \$5 billion, and \$2.6 billion will go to the Missouri Department of Transportation. Higher education will collect \$1.07 billion.



# From Bill to Law

## Noteworthy Legislation Passed by the Senate and House This Year

**Agriculture** – SB 1008 creates “Governor’s Advisory Council on Agricultural Science and Technology.”

**Agriculture** – HB 1270 requires most gasoline sold after Jan. 1, 2008, be blended with 10 percent ethanol.

**Assisted Care** – SB 616 expands requirements for housing featuring 24-hour care.

**Budget** – HBs 1001-1013 appropriates \$20.8 billion for state programs and services for FY 07.

**Campaign Finance** – HB 1900 modifies campaign contribution/spending/reporting requirements.

**Commemoration** – HB 983 requires U.S. and state flags be flown at half-staff on government buildings each September 11.

**Economic Development** – SB 645 expands *Business Use Incentive for Large-Scale Development* act.

**Economic Development** – SB 1056 raises Community Improvement District sales tax rate ceiling.

**Education, Higher** – SB 580 requires collaboration between higher education board and commissioner.

**Education, Higher** – SB 980 creates scholarships for students pursuing teaching degrees, eases student loan provisions for nursing students.

**Education, K-12** – SB 894 requires low-levy school districts to certify provision of an adequate education.

**Education, K-12** – SB 912 establishes a “virtual” (online) school program.

**Education, K-12** – HB 1511 enacts the development of early childhood education standards.

**Elections** – SB 1014 requires photo ID to vote, eliminates straight-ticket voting.

**Eminent Domain** – HB 1944 restricts governmental power to take private property solely for economic development.

**Energy** – HB 1270 requires gasoline sold after Jan. 1, 2008, be blended with 10 percent ethanol.

**Environment** – SB 583 establishes a decentralized vehicle emissions inspection program.

**Family Planning** – HB 1485 authorizes income tax credit for contributions to qualified pregnancy resource centers.

**Health Care** – SB 567 requires insurance coverage for certain clinical trial costs.

**Health Care** – SB 980 eases student loan provisions for nursing students.

**Health Care** – SB 1084 extends Healthcare for Uninsured Children Program (CHIPS).

**Health Care** – SR 2741 designates May 2006 as Stroke Awareness Month.

**Health Care** – HCR 12 designates each May 10 as “Hepatitis C Awareness Day.”

**Humanity** – SB 1189 creates Holocaust Education and Awareness Commission.

**Insurance, Health** – SB 567 requires insurance coverage for certain clinical trial costs.

**Insurance, Malpractice** – HB 1837 revises rules for establishing, operating malpractice insurance associations.

**Law and Order** – HB 1698 strengthens laws regarding sexual offenders.

**Libraries** – SB 936 expands bonding capacity of county library boards.

**Licensing** – SB 1001 broadens requirements for new drivers; eases requirements for senior drivers.

**Pay** – HJR 55 if approved by voters, curbs legislative override of elected officials pay commission recommendations.

**Privacy Protection** – SB 578/HB 1026 prohibits protesting at funerals an hour before and after services.

**Property Rights** – HB 1944 restricts governmental power of eminent domain.

**Public Safety** – HB 1698 strengthens laws against sexual offenders.

**Restitution** – SB 1023 compensates persons imprisoned and later exonerated by DNA evidence.

**Tax, Property** – SB 630 modifies Homestead Preservation Tax credit program eligibility.

**Tax, Property** – SJR 26 if approved by voters, exempts from taxation property owned by veterans organizations.

**Telecommunications** – SB 1066 allows certain telecom companies to request a tariff waiver.

**Traffic Safety** – SB 872 strengthens work zone and “move over” traffic laws and penalties; expands child safety seating requirements.

**Troop Support** – SB 701 expands educational assistance benefits for Missouri National Guard members.

**Troop Support** – HB 1787 establishes “Guard at Home Program” to assist spouses of active-duty soldiers with immediate needs and employment.

**Unemployment Comp.** – HB 1456 strengthens employment security program provisions.

**Utility Aid** – HB 1015 adds \$6 million to home heating utility bill assistance program.

**Veterans** – SJR 26 if approved by voters, exempts from taxation property owned by veterans’ organizations.

**Veterans** – HB 978 establishes Vietnam War Medallion.

**Veterans** – HB 1552 eases ability of homeless veterans to receive mailed benefits.

**Voting** – SB 1014 requires photo ID to vote, eliminates straight-ticket voting (see p. 5 for more).

# Supporting Missouri Seniors

This year Missouri implemented a new program to help seniors with prescription drug costs, and lawmakers approved legislation making it easier for seniors to enter assisted-living facilities. In January, Missouri instituted a plan to replace the Senior Rx Program with the new Missouri Rx Plan (MoRx). This program helps senior citizens with the cost of their prescription drugs. The plan works with Medicare Part D, but offers benefits in addition to the federal program. Here are some key provisions of the MoRx Plan:

## Qualifications:

\* Currently, individuals who were Senior Rx members in 2005 and individuals who are eligible for both Medicare and Medicaid are automatically enrolled in MoRx. Seniors who are currently enrolled in MoRx will not have to re-enroll.

\* MoRx is slated to open enrollment later this year to seniors over the age of 65 who are already enrolled in Medicare Part D and make less than \$19,400 per year (less than \$26,400 per year for married couples).

## Benefits:

\* MoRx pays for 50 percent of out-of-pocket costs that are not currently paid by the Medicare Part D program, excluding the monthly premium.

\* MoRx pays 50 percent of a senior's deductible.

\* MoRx pays 50 percent of the gap in coverage in Medicare Part D. (The "gap" begins after drug costs reach \$2,250 and ends when costs exceed \$5,100 in a year.)

\* MoRx pays 50 percent of a senior's co-pay before the gap in coverage in Medicare Part D.



*Lou Ricks Scroggs of Lamar visits with Sen. Scott.*



*Rep. Ed Emery of Lamar (seated at left) visits the local senior center.*

On a different note, lawmakers in May passed Senate Bill 616, which makes it easier for seniors to live in assisted-living facilities. Under the old system, regulations and "red tape" were leaving some seniors with little option but to enter skilled nursing facilities instead of continuing their more independent lifestyles in assisted-living facilities. For example, if a person chose to sleep without a hearing aid, he or she was technically in violation of the old law and could be required to leave or be moved to a skilled nursing facility. This "one-size-fits-all" approach was not workable and needed reform.

The new law removes certain provisions that were limiting people's choices as to what type of care best fits their needs - paving the way for more seniors to continue to live independently in assisted-living facilities. It also spells out which facilities can qualify as an assisted-living facility, helping to ensure a safer environment. Together, these programs will improve the lives of many Missouri seniors.

# STATE OFFICIALS CONTACT INFORMATION

Unless otherwise noted, the mailing address for the following officials is:

State Capitol, 201 West Capitol Avenue, Jefferson City, MO 65101

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**Lt. Governor Peter Kinder - Room 121.....(573) 751-4727**  
**Secretary of State Robin Carnahan - Room 208.....(573) 751-4936**  
**State Auditor Claire McCaskill - Room 224.....(573) 751-4824**  
**State Treasurer Sarah Steelman - Room 229.....(573) 751-2411**  
**Attorney General Jeremiah W. (Jay) Nixon.....(573) 751-3321**  
Supreme Court Building, 207 W. High Street, Jefferson City, MO 65101

## STATE DEPARTMENTS

All departments can be accessed through  
**MISSOURI'S STATE GOVERNMENT HOME PAGE**  
on the World Wide Web: <http://www.mo.gov>

**Department of Agriculture - P.O. Box 630, Jefferson City, MO 65102.....(573) 751-4211**  
**Department of Conservation - P.O. Box 180, Jefferson City, MO 65102.....(573) 751-4115**  
**Department of Corrections - P.O. Box 236, Jefferson City, MO 65102.....(573) 751-2389**  
**Department of Economic Development - P.O. Box 1157, Jefferson City, MO 65102.....(573) 751-4962**  
**Dept. of Elementary & Secondary Education - P.O. Box 480, Jefferson City, MO 65102.....(573) 751-4212**  
**Department of Health - P.O. Box 570, Jefferson City, MO 65102.....(573) 751-6001 or (573) 751-6420**  
**Department of Higher Education - 3515 Amazonas Dr., Jefferson City, MO 65109.....(573) 751-2361**  
**Department of Insurance, Financial Institutions & Professional Registration -**  
**P.O. Box 690, Jefferson City, MO 65102-0690.....(573) 751-4126**  
**Dept. of Labor & Industrial Relations - 3315 W. Truman Blvd., Jefferson City, MO 65109.....(573) 751-9691**  
**Department of Mental Health - P.O. Box 687, 1706 E. Elm, Jefferson City, MO 65102.....1-800-364-9687**  
**Department of Natural Resources - P.O. Box 176, Jefferson City, MO 65102.....(573) 751-3443**  
**Department of Public Safety - P.O. Box 749, Jefferson City, MO 65102.....1-888-FYI-MDPS**  
**Department of Revenue - P.O. Box 311, Jefferson City, MO 65105.....(573) 751-4450**  
**Department of Social Services - P.O. Box 1527, Jefferson City, MO 65102.....(573) 751-4815**  
**Department of Transportation - P.O. Box 270, Jefferson City, MO 65102.....(573) 751-2551**

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**Joplin 302 Joplin Street, Suite 302, Joplin, MO 64801**