

# STATE SENATOR KEVIN ENGLER

## *LEGISLATIVE REPORT 2007 — District 3*

Dear Friends,

My third legislative session as your state senator has come to a close. Once again, the session was marked with both challenges and successes. By the time lawmakers adjourned on May 18, we had sent 133 bills to the governor that will make Missouri a better place in which to live, work and raise a family.

This session, we approved legislation protecting second amendment rights, reducing the number of abortions preformed, and allowing voters to decide if English should be used in official proceedings in our state. These and several other accomplishments make me proud to serve the 3rd District and our state.

The budget we passed this year reflects Missouri's prospering economy and the General Assembly's fiscal responsibility. The budget includes an estimated \$200 million fund balance and features sensible increases to programs and services used by Missourians, including a 3 percent pay raise for state employees.

These and other important issues considered by the Legislature are highlighted in this end-of-session report.

If you have any questions or comments about my efforts over the past year, please contact my office. You will find my contact information on page 7.

Thank you for allowing me to serve you in the Missouri Senate.

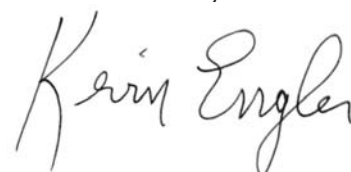
### **Inside This Edition:**

**Biofuels - Second Amendment Rights**

**Higher Education - Healthcare**

**Budget News - Retirement Tax Benefits**

Sincerely,



## Using English in Official Proceedings

In some states, communities that have large populations of non-English speakers have begun conducting official meetings in languages other than English. Sen. Engler handled House Joint Resolution 7 in the Senate, which will allow voters to prevent that practice in Missouri.

Current Missouri law recognizes that English is the common language of the state and acknowledges that fluency in English is integral to American culture. Upon voter approval, HJR 7 would make English the official language of all official proceedings. Without such protections, there may soon come a time when ordinary Missourians may not be able to understand the business being discussed in their state or local governments, rendering native English speakers unable to participate in their government.

The measure will cover official meetings, including state proceedings and public meetings such as school board and city council meetings. The law does not prohibit translators in legitimate situations such as legal proceedings or medical emergencies. The resolution would, however, require local and state governments to communicate in English and use English as the language of record.

If voters approve the constitutional amendment, Missourians will be assured that they will always understand important proceedings in their state and their communities.

## Protecting Second Amendment Rights

When Hurricane Katrina hit New Orleans, the region became chaotic and was declared a state of emergency. The police then used that status to confiscate legal firearms. Law enforcement officers were overwhelmed and many people were left without any way to protect their families and property as looting and other crimes took place.

This session, legislators passed Senate Bill 257, sponsored by Sen. Engler, ensuring that Missourians cannot be denied their constitutional right to bear arms during times of emergency. The bill was signed into law at the national NRA convention in St. Louis earlier this year.

Another law passed this year, Senate Bill 62, overturns a number of court decisions requiring Missourians to retreat or await physical aggression before using force against intruders who have gained entry unlawfully. The legislation, also called the "Castle Doctrine," prevents frivolous lawsuits against those that use deadly force in defense of their homes.

Senate Bill 62 also repeals the requirement that Missouri residents must obtain permits from their local sheriff before buying a handgun. Other provisions in the bill include allowing people who have law enforcement training to forgo weapons handling courses in order to get a concealed weapon permit, allowing law enforcement departments to sell confiscated weapons, and putting mental health information in the National Instant Criminal Background Check System to determine eligibility to buy guns.

### The Missouri Disaster Recovery Protection Act

*// No state entity or official will be able to prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during an emergency. //*



# NOTABLE LEGISLATION

## Improving Higher Education

This session, the Legislature passed a comprehensive higher education reform bill in order to make Missouri's public colleges more accessible, affordable, and accountable. Senate Bill 389 creates additional scholarship opportunities by combining two existing scholarships to create Access Missouri.

Funding for this needs-based scholarship program will grow from \$25 million to nearly \$75 million. The plan also implements the campus construction plan called the Lewis and Clark Discovery Initiative, which uses funds from the sale of some assets held by the Missouri Higher Education Loan Authority (MOHELA) to construct and maintain buildings on Missouri's college campuses.

The bill also limits tuition increases to the Consumer Price Index, making it easier for Missouri's families to budget for higher education. Provisions also improve students' accessibility by requiring colleges to inform students on who will be teaching their classes, and establish competency tests to make transfers between schools easier.

Construction projects to benefit residents of the 3rd District include:

Mineral Area College	\$2 million
Jefferson College	\$2 million
Three Rivers College	\$2 million

## Consumer Options

A new law passed this session will improve competition in the cable market that could result in lower prices for consumers. Senate Bill 284 allows cable and telecommunications companies to receive statewide licenses to provide cable service, resulting in a \$335 million investment in Missouri by a major telecommunications company.

Before the legislation, cable providers and telephone companies looking to enter the cable market had to establish franchise agreements with local governments in order to provide service. The bill first appeared during the 2006 legislative session, but a compromise could not be worked out.

As chairman of the committee on Commerce, Energy, and the Environment, Sen. Engler worked with both sides to make this year's bill a reality.

## Reforming Healthcare

Senate Bill 577 makes much needed changes to Missouri's state sponsored healthcare system to make the program more effective and accessible. These reforms start by renaming the program MO HealthNet. The reforms will change the focus of the program from reactive treatment to proactive care in order to give participants more

direct involvement in their health-care. The program also includes extended coverage for women's health and expands the state's Ticket-to-Work Program, giving disabled workers the chance to work and maintain healthcare coverage.



*Sen. Engler, presiding over the Senate, listens carefully to the debate in progress on the Senate floor.*

## Tax Shield on Retirement Benefits

House Bill 444 phases out taxation on Social Security benefits, Social Security disability payments, and certain non-private retirement benefits in order to make it easier for seniors who depend on fixed incomes.

The bill gradually phases in an income tax exemption beginning with 20 percent for the 2007 tax year, eventually becoming a complete 100 percent exemption by the 2012 tax year. Seniors 62 and over and all disabled residents will be eligible for the exemptions. An income threshold of \$85,000 for an individual or \$100,000 for a couple applies.

Qualifying non-private retirement benefits include plans for firemen and police officers, railroad workers, teachers, as well as veterans and certain federal employees. These pensions will also be exempt from state taxes up to the maximum Social Security benefit (currently \$32,500) by 2012.

# Standing Up for Life

House Bill 1055, a key piece of life-affirming legislation, was also passed by the General Assembly this session. The legislation will hold abortion clinics to the same safety standards as surgical centers.

This bill also prohibits any person providing abortion services from supplying course material or instruction during sexual education courses. Students will learn that the only 100 percent effective way of avoiding pregnancy and sexually transmitted diseases is by refraining from sexual activity, and they will learn that material from instructors who have the best interests of students in mind.

The bill also creates the Missouri Alternatives to Abortion Services Program, which provides state funding for organizations that provide help to pregnant women, mothers, and women seeking adoption services. In order to make sure the funding goes to the right places, provisions specifically prohibit organizations that perform, induce, or assist abortions from being eligible for funding. The bill also creates the Abortion Public Awareness Program in which state agencies will publicize alternatives to abortion.

## Job Protection For FIREFIGHTERS

Volunteer firefighters put out fires, act as first responders, and serve as rescue personnel in the communities they assist. They are often needed in times of emergency and disaster and need to be available. For this reason, Sen. Engler sponsored Senate Bill 47, the Firefighter Job Protection Act, which passed this session.

The bill prohibits employers from firing employees for joining volunteer fire departments or being late to work while responding to an emergency. The legislation also allows volunteer firefighters to file suit to reinstate their jobs, benefits, wages, or seniority. Employees are also required to make a reasonable effort to give their employer notice if they are going to miss work and the employer is allowed to deduct missed hours from wages.

## Taum Sauk



On Dec. 14, 2005, the Taum Sauk dam failed, causing flooding throughout Johnson's Shut-Ins State Park and the surrounding area. The Johnson's Shut-Ins State Park was closed pending cleanup efforts, many of which are still underway.

The owner of the facility took responsibility for the collapse and has made concentrated efforts to settle all issues related to the breach. The federal case was settled, but the state case remains open. The facility's owner has announced plans to rebuild the plant after the legal issues are settled.

This year, Sen. Engler gave a spirited address on the Senate floor in order to call attention to the situation in Reynolds and Iron counties, and criticized state officials for not taking action.



*Sen. Engler speaks to his Senate colleagues on the disaster at the Taum Sauk reservoir and the resulting financial burden on area citizens.*



# Energy Alternatives

Sen. Engler succeeded this year in passing a measure that will encourage the use of bioreactor landfills.

The provision will allow yard waste to be disposed of in these areas. As the yard waste decomposes, it produces gasses that can generate electricity. The measure, originally in Sen. Engler's bill, Senate Bill 328, was incorporated into Senate Bill 54.

In addition, the Legislature took action to put Missouri in the forefront of alternative fuel production. Sen. Engler continued this effort with a provision expanding the goals of the Missouri Alternative Fuels Commission by promoting the use of alternative fuels and alternative fuel vehicles to reduce our dependency on foreign oil.



# "No-Call" in Missouri

During the 2006 elections, voters made it clear that politically motivated "robo-calls" were not only annoying, but they would not be tolerated.

Sen. Engler fought to expand Missouri's no-call list to include automated political calls. Although the bill, Senate Bill 49, died in the House, it would have expanded the list to include cell phone numbers and prohibit solicitors from sending faxes or text messages.



## Industrial Possibilities

This session, the Legislature passed Senate Bill 322, sponsored by Sen. Engler. The bill will extend commercial zoning in the City of St. Louis to cover parts of Jefferson County and St. Genevieve Counties.

The legislation will allow commercial vehicles to haul larger loads locally, expanding possibilities for the quarry businesses in the area.

## New Park Hills Library

Senate Bill 288, sponsored by Sen. Engler, will allow the state to convey property in Park Hills. The property will be used for a new library for the City of Park Hills.



*These Jefferson County students were chosen for their trip to the Capitol by the American Legion for maintaining "A" averages in American History or Government classes.*



*South Iron Elementary visits Sen. Engler on the steps of the Capitol.*



*Students from Lesterville with Sen. Engler and Rep. J.C. Kuessner at the Capitol.*



# Missouri Money

*Each year, the General Assembly must determine how to budget taxpayer money for the next fiscal year. This session, the Legislature passed a \$21.5 billion spending plan that reflects responsible financial planning.*

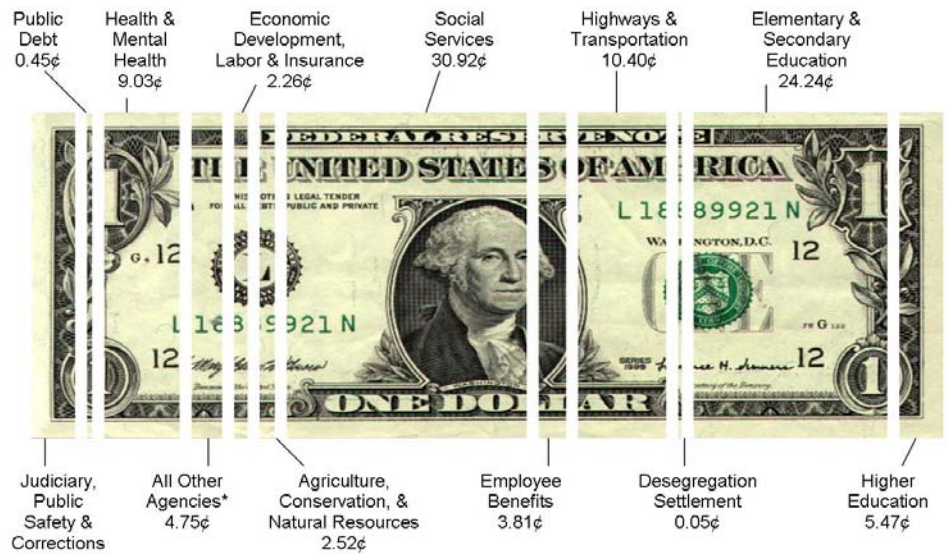
The budget for fiscal year 2008 totals \$21.5 billion in state, federal, and other funding. Higher education will receive a 9.9 percent increase for a total appropriation of \$1.1 billion. The Department of Social Services will receive \$6.5 billion, a 6.1 percent increase. Elementary and secondary education will receive a 5.5 percent increase for a total appropriation of \$5.2 billion.

Two years ago, the state began to use a new funding formula in order to appropriate money to local school districts based on student need and not property value. The plan is being phased in over the next six years. This year, \$171 million of Foundation Formula funding will go to schools in the 3rd District.

House Bill 16, a companion appropriations bill, provides \$2.75 million for Great Mines Health Center and \$4.2 million for Highlands Health Care. Both are Federally Qualified Health Centers in the 3rd district.

## DISTRIBUTION OF EACH TAX DOLLAR

FY 2008 MISSOURI OPERATING BUDGET  
All Funds: \$21.488 Billion



\* Revenue, Office of Administration, Elected Officials, General Assembly, Real Estate

Source: Missouri Senate Appropriations Committee

### Funding in the 3rd District:

Mineral Area Community College	\$5,299,730
State Schools for the Severely Handicapped	\$1,072,782
Missouri Sexual Offender Treatment Center	\$11,283,824
Historic Sites and State Parks	\$2,395,687
Eastern Reception and Diagnostic Center	\$18,848,102
Potosi Correctional Center	\$10,535,644
Farmington Correctional Center	\$19,023,024
Southeast Missouri Mental Health Center	\$19,940,112
<b>TOTAL</b>	<b>\$88,398,905</b>



Sen. Engler and Rep. Brad Robinson with members of Bismarck Elementary School.

# Here to Help You

*If you have concerns or questions about legislative proposals, need assistance interacting with other state agencies or are looking for information about state services, Sen. Engler's staff is here to help you.*



## Karen Jacquin

Karen Jacquin lives in Holts Summit and has been Sen. Engler's executive assistant since he was elected to the House in 2002.

She has ten years of experience with the state and is currently responsible for managing the Capitol office, scheduling appointments and handling constituent concerns with state agencies.

## Jarad Falk

Jarad Falk moved from Lee's Summit to Farmington in 2003 to work in politics. During session, he researches issues, helps Sen. Engler file legislation, tracks bills referred to the senator's committees and keeps up on the measures scheduled to be heard on the floor.

When the Senate is not in session, he manages the district office and handles constituent issues.



## Gary Romine

Gary Romine joined the staff as a legislative assistant in January of this year.

He is responsible for assisting Sen. Engler with crafting legislative measures, researching issues, and addressing the concerns of constituents.

## Nichole Neidert

Nichole Neidert served as an intern during this session.

She is from Hillsboro, Mo. and attends Missouri Baptist University in St. Louis. She is majoring in administration of justice and will graduate in December, 2007.



## Contact Senator Engler:

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Last year, we introduced “Winston” to the Senate family. Since then, the cute, cuddly English bulldog pup has grown into a large, healthy adult. However, that doesn’t mean he isn’t the same affectionate pup on the inside. He is often seen in the halls of the State Capitol where he especially enjoys meeting the many visitors and smelling the various foods brought into the building.



Visitors beware, though, he has been known to sneak some slobbery kisses.

*Left: Winston gives a kiss to Gov. Matt Blunt’s son, Branch. Above right: Winston loves to lie on the cool marble floors of the Capitol building hallways.*



**Left:** Sen. Engler and Sen. Frank Barnitz take a moment to pose with students from Viburnum.

**Right:** Sen. Engler meets with members of the Farmington High School ROTC program.



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