

STATE SENATOR

**KEVIN
ENGLER**
3RD DISTRICT



LEGISLATIVE REPORT 2008

INSIDE: Fighting Illegal Immigration – Halting Unfair Property Taxes – Protecting Your Right to Bear Arms – A Raise for Sheriff's Deputies – Combatting Mortgage Fraud – More Inside...

FROM SEN. KEVIN ENGLER



Sen. Engler chairs the Senate Commerce, Energy, and the Environment Committee. This committee reviews laws dealing with the commercial sector, consumer protection, energy resources, and matters relating to environmental pollution.

Sen. Engler's committee assignments also include:

- * Economic Development, Tourism and Local Government
- * Financial, Governmental Organizations, and Elections
- * Transportation
- * Joint Committee on Corrections
- * Joint Committee on Restructuring Fees of the Clean Water and Storm Water Programs

Sen. Engler also serves in leadership as the Majority Caucus Whip.

Dear Friends,

The 2008 legislative session came to an end on May 16. Like my previous three years in the Missouri Senate, the session was marked with challenges, but resulted in a successful session for the state. When the final gavel fell, we had completed work on 138 bills in order to make Missouri a better place to live, work, visit, and raise a family.

This session, we passed several key priorities. The Legislature approved bills combatting illegal immigration, protecting our Second Amendment rights, and reforming property taxes so that Missourians are no longer taxed out of their homes. In addition, we passed legislation I sponsored to honor our fallen soldiers and make sure those committing the crime of mortgage fraud are punished. These accomplishments are important because they are in line with the conservative values we all share.

The budget we passed this year reflects our dedication to fiscal responsibility. The \$22.4 billion budget includes necessary increases to programs and services important to Missourians, including a 3 percent pay raise for state employees. The budget also includes pay increases for correctional employees and increases for higher education, K-12 education, and Federally Qualified Health Centers.

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 the final page.

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

Sincerely,

A handwritten signature in black ink that reads "Kevin Engler". The signature is written in a cursive, flowing style.

Sen. Engler gives students a tour of the Senate floor and explains his role in the legislative process.



FIGHTING ILLEGAL IMMIGRATION

While Washington D.C. fails to act on the issue of illegal immigration, Missouri is taking action to protect jobs and services in the state.

This year, the Legislature passed wide-ranging legislation that fights illegal immigration activity, which protects Missourians from the tens of millions of dollars it costs taxpayers each year. The legislation sends a clear message that the state will not tolerate illegal activity. Sen. Engler made illegal immigration a top priority during the 2008 legislative session.

House Bill 1549 cracks down on employers who knowingly hire illegal immigrants and bars illegal immigrants from obtaining driver's licenses. The bill also contains a provision advanced by Sen. Engler that prevents illegal residents from receiving state or local public benefits.

In order to protect Missourians' jobs, the bill bars Missouri employers from hiring illegal immigrants. Employers would lose permits or licenses if they knowingly employ illegal workers. To be eligible for state contracts, employers must participate in a federal work authorization program, including public employers. Employers who misclassify workers will be subject to penalties of \$50 per day per misclassified worker and up to a maximum of \$50,000 in fines.

The bill also allows law enforcement officers to check the immigration status of anyone arrested or detained in Missouri and denies bail for jailed individuals who cannot prove legal residency. The Missouri State Highway Patrol will also receive training to enforce immigration laws under the new law.

Other reforms prohibit communities from adopting safe sanctuary policies for illegal immigrants, bar individuals from transporting or harboring any illegal immigrant, require written tests for commercial licenses to be administered in English only, and provide penalties for any individuals who use fraudulent means to assist illegal immigrants in obtaining a driver's license.



Illegal Immigration in Missouri

Estimates based on the U.S. Census Bureau's March 2005 population survey suggest that there are between **35,000-65,000** illegal immigrants living in the state of Missouri.

An Immigration and Naturalization Service estimate from 2000 found that the illegal immigrant population in our state rose **38 percent** in a four-year period and **175 percent** in a ten-year period.

In 2007, U.S. Immigrations and Customs Enforcement deported **8,900** illegal aliens from a six-state area that included Missouri.

Sen. Engler discusses legislation with Senate President Pro Tem Mike Gibbons (right) and Sen. Brad Lager.

PROTECTING 2ND AMENDMENT RIGHTS



Sen. Engler introduces legislation in the Senate.

Property Tax Reform

Senate Bill 711, co-sponsored by Sen. Engler, closes tax increase loopholes, requires earlier notice and more information, and expands tax relief for seniors and the disabled. The measure mandates that all taxing jurisdictions must roll back their tax rate to counter reassessment increases. Currently, only taxing jurisdictions operating at their tax rate ceiling are required by Missouri's Constitution to roll back tax rates to protect taxpayers, leaving taxing jurisdictions operating below their ceiling to approve back door tax increases with no legal recourse.

The bill also closes a loophole that allowed taxing districts to apply new voter approved levies to future and unknown assessments.

It also requires that taxpayers receive a projected tax liability notice along with their reassessment notices. Residents in the 3rd District will be receiving these statements by 2011. It also increases the Senior Citizen Property Tax Credit award from \$750 to \$1,100 for homeowners and expands eligibility for homeowners, up to an income of \$30,000 for singles and \$34,000 for married couples.

House Bill 2034, an omnibus bill ensuring Missourians maintain their Second Amendment Rights, was handled by Sen. Engler in the Senate. The bill contains several provisions, including a measure originally introduced by Sen. Engler (Senate Bill 1076) protecting firearm ranges from noise violations. Another provision contained in the bill makes sure those who possess firearms can do so without obstruction by the state.

One of the main provisions in the legislation shields firearm range owners from civil and criminal liability for noise emission. The legislation became necessary after a shooting range in Columbia was forced to close after a resident near the range unfairly chose to sue the range owner for the outrageous sum of \$800,000.

House Bill 2034 also removes the residency requirements for concealed carry permits. Under current law, new residents have to live in Missouri for six months before they can receive a permit. The new legislation waives the six month requirement for those who already have a valid permit from another state.

Another piece of the legislation closes the records of those who filed a permit-to-acquire with their county sheriff. Thanks to legislation passed last year, residents no longer have to file with their county sheriff. Any records now on file, which should be a matter of privacy and could be used by criminals, will only be available through a court order relating to criminal investigations.

Legislation sponsored and passed by Sen. Engler is signed at a national convention of gun owners.



FAIR PAY FOR DEPUTY SHERIFFS



Deputies in rural Missouri will see an increase in their salaries thanks to legislation passed during the legislative session. Sen. Engler supported legislation that will provide county deputy sheriffs in the 3rd Senate District and throughout the state with better pay.

Sen. Engler co-sponsored the companion legislation to House Bill 2224, which allows sheriffs to receive an additional \$10 fee for processing any civil summons, writ, subpoena or other court order. This money will go into the newly

created "Deputy Sheriff Salary Supplementation Fund," which will be used to bolster the pay of county deputy sheriffs.

The average salary for county deputies is a little more than \$22,000, with most taking home only about \$15,500 per year. This salary puts those with families below the federal poverty level. Lawmakers met with officials last summer in order to discuss ways to solve the problem. House Bill 2224 is a result of those discussions.

Central High School students promoting Arrive Alive visited the Capitol on April 22. Arrive Alive works to combat underage drinking and raise awareness about the importance of buckling up when in a vehicle.



HONORING THE FALLEN

Since September 11, 2001, nearly 100 Missouri military men and women have lost their lives in combat.

Now, Senate Bill 806, passed by Sen. Engler, will continue to recognize and show appreciation for the sacrifice made by Missouri soldiers and guard members killed in action. The bill requires the flags on all state buildings to be flown at half-staff whenever a Missouri resident is killed in the line of military duty.

Senate Bill 806 ensures that those willing to make the ultimate sacrifice are recognized and honored.



“Each time the U.S. and Missouri flags are flown at half-staff, it signals that our state has lost an exceptional individual. This legislation allows us to show that with each Missouri son, daughter, mother, or father killed while serving, we are there to honor them and help mourn their loss.”

- Sen. Kevin Engler

Protecting Homebuyers Criminalizing Mortgage Fraud

Homebuyers can feel protected from being scammed out of thousands of dollars when purchasing a home thanks to House Bill 2188, handled by Sen. Engler. The bill received final approval from the Legislature this session.

The legislation mirrors a bill introduced by Sen. Engler (Senate Bill 1059), which stems from the work of the Senate Interim Committee on Consumer and Financial Protection, on which he served as chairman. The committee found that the state's hands were tied from going after the individuals committing mortgage fraud. House Bill 2188 places local prosecutors on the same footing as federal investigators.

Mortgage fraud ultimately contributes to higher loan costs and more restrictive lending practices.

House Bill 2188 creates civil and criminal penalties for residential mortgage fraud. The legislation makes it a Class C felony to employ a device, scheme, or artifice to defraud; make an untrue statement or omit information; receive any portion of the purchase, sale, or loan proceeds in connection with a real estate arrangement that has to do with fraud; and influence appraisals in certain circumstances. A Class C felon in Missouri can receive up to seven years in prison.

The bill also contains specific provisions relating to real estate brokers, real estate salespersons, real estate appraisers, and residential mortgage brokers.

Saving Schools Money

School districts will be able to devote more money to the classroom thanks to legislation drafted by Sen. Engler that caps the maximum fee the state auditor can collect for registering bonds.

Municipalities and school districts often employ the sale of voter-approved bonds to fund local construction projects. Previously, the law allowed the state auditor to collect ten cents for every \$100 of face value of bonds being registered. For example, currently if a school district registers \$50 million in bonds, the district has to pay the auditor a fee of \$50,000.

Senate Bill 944 enacts a maximum fee of \$1,000 for all bonds registered with the office. Whether an entity is registering \$1 million in bonds or \$100 million in bonds, the state's work is the same.



Sen. Engler, Winston, and Representative J. C. Kuessner (far left) with Arcadia Valley fourth graders.

Fair Pay for Teachers



Sen. Engler speaks to members of a teachers' organization at the Capitol.

A recent survey by an association of educators ranks Missouri's average salary for public school teachers as 42nd from the top in the nation. This year, Sen. Engler sponsored legislation in an attempt to fix this problem in Missouri.

The bill would have increased the state's minimum starting salary from \$23,000 to \$31,000. The pay plan would also set minimum salaries for more experienced teachers ranging up to \$46,000.

Unfortunately, the bill did not pass this year, but Sen. Engler remains committed to fairly compensating Missouri's quality educators.

LEGISLATION BENEFITS LOCAL SCHOOL

A bill that will save a 3rd District school over a million dollars passed this session. Senate Bill 839, sponsored by Sen. Engler, is designed to keep the Kingston School District from losing some state funding due to the fact that the district leased modular buildings and would be penalized for buying them.

In 2003, the Kingston School District leased the modular buildings so the school would have classrooms for 3rd-5th graders. This year, the lease on those units is complete, and the cost to move

the buildings and replace them would be nearly a million dollars. The state's foundation formula prevented the district from purchasing the units because the purchase would result in a loss of funding.

After discovering the possible loss of funding, the district contacted Sen. Engler to see if the problem could be corrected through legislation. Sen. Engler drafted the legislation as a one-time fix so the district could buy the buildings without losing funding.

MISSOURI'S BUDGET

The state's budget for fiscal year 2009 (which began on July 1) totals \$22.4 billion.

The fiscal year 2009 budget reflects a serious focus on fiscal responsibility. The spending plan does include some necessary increases to important programs and services used by Missourians. These expansions were made without a tax increase.

One important appropriation for our district included \$250,000 in additional funding for Federally Qualified Health Centers. These centers are community based organizations that provide health services to those who are underinsured or those without insurance at all.

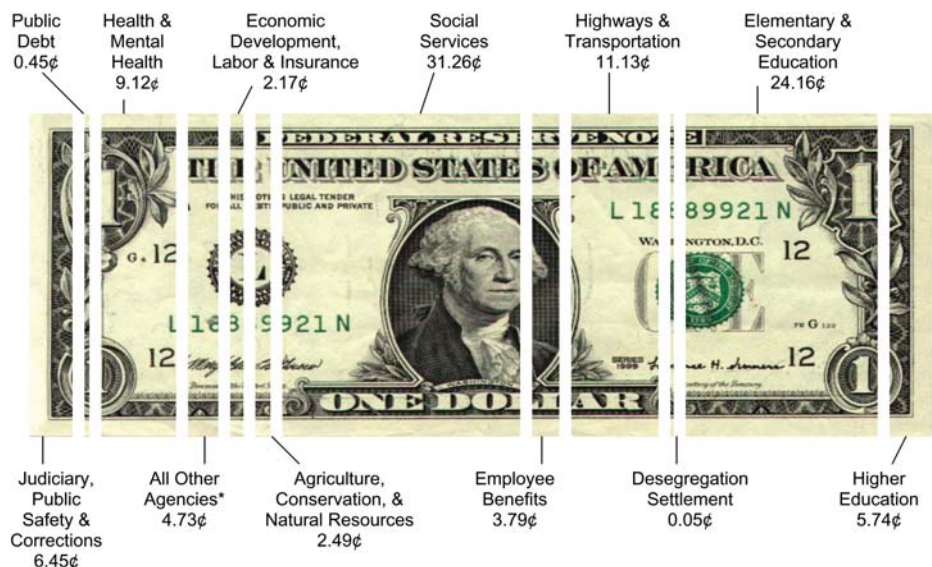
The budget also features increases for the Department of Corrections, which receives a 7.3 percent increase for a total budget of \$670 million. This includes \$3.7 million to fund a one step pay increase for any corrections officers or parole and probation assistants working at facilities operating on a 24/7 schedule.

Funding for the 3rd District

Foundation Formula Funding.....	\$203.8 million
Southeast Missouri Mental Health Center.....	\$20.4 million
Farmington Correctional Center.....	\$19.8 million
Eastern Reception and Diagnostic Center.....	\$19.6 million
Missouri Sexual Offender Treatment Center.....	\$13.3 million
Potosi Correctional Center.....	\$11 million
Mineral Area College.....	\$5.5 million
State Schools for the Severely Disabled.....	\$1.3 million
State Parks/Historic Sites.....	\$2.5 million

Distribution of Each Tax Dollar

All Funds: \$22.444 Billion



*Revenue, Office of Administrations, Elected Officials, General Assembly, Real Estate Source: Senate Appropriations Committee



Here on the Senate dais (from left) are legislative intern Martha Hiett of Willow Springs, legislative intern Joe Goff of Farmington, Sen. Engler, legislative director Mike Lodewegen, and executive assistant Karen Jacquin.

HERE TO HELP

If you have concerns or questions about legislative proposals, need assistance interacting with other state agencies or are looking for information about state services, Karen Jacquin and Mike Lodewegen are here to help you. Sen. Engler's staff also includes Marilyn Pinson, who works in the Farmington office as district director.



Winston, Sen. Engler's English Bulldog, serves as chairman of the 3rd District Welcoming Committee. He is continuously on duty and ready for work.

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