



Jack Goodman

District 29
State Senator

LEGISLATIVE REPORT 2009

SENATOR JACK GOODMAN • DISTRICT 29

Dear Friends in the 29th District,

Thank you for the opportunity to work for you in the Missouri Senate. This report was prepared to keep you informed of the progress your State Legislature made on your behalf in 2009. The General Assembly faced many important and difficult issues this year, which are detailed inside.

We worked hard to address these issues, bringing meaningful solutions that reflect Missourians' shared belief in personal responsibility, educational and employment opportunity and common sense values. While we had several successes, we still have much work to do.

Again, I am genuinely grateful to have the privilege of working for you. Please contact my office any time you would like to share an idea, concern or problem. Most of the work we do in the Capitol starts with a good idea suggested by a constituent.

Respectfully,



SENATOR GOODMAN'S COMMITTEES

- GENERAL LAWS, CHAIRMAN
- JUDICIARY AND CIVIL AND CRIMINAL JURISPRUDENCE, VICE-CHAIRMAN
- JOBS, ECONOMIC DEVELOPMENT AND LOCAL GOVERNMENT
- SMALL BUSINESS, INSURANCE AND INDUSTRY
- SELECT COMMITTEE ON OVERSIGHT OF FEDERAL STIMULUS
- JOINT COMMITTEE ON LEGISLATIVE RESEARCH
- CHILDREN'S SERVICES COMMISSION
- CHRONIC KIDNEY DISEASE TASK FORCE
- MISSOURI TOURISM COMMISSION
- SENTENCING ADVISORY COMMISSION

CONTACT SENATOR GOODMAN

IF YOU HAVE ANY LEGISLATIVE CONCERNS OR QUESTIONS, FEEL FREE TO CONTACT SEN. GOODMAN'S OFFICE.

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Senator Jack Goodman, with his wife, Laura, and their two sons, Jack and Will.



PROMOTING ECONOMIC DEVELOPMENT

Perhaps the most debated—and heated—issue of the 2009 legislative session was economic development. While lawmakers managed to pass a job-creation bill on the final day of session, it took months of discussion, compromise and hard work to get a bill that would stimulate economic growth and create much-needed jobs through both chambers and signed by the governor.

One of the most important job-creating components of House Bill 191 expands the incentives available to businesses under the Quality Jobs program. Quality Jobs provides tax incentives to businesses that create jobs that pay above the average county wage. To qualify for the program, the employer must also pay at least half the cost of their employees' health care benefits. Getting Missourians back to work by creating a climate for sustainable jobs with competitive salaries were the primary considerations when developing this bill. The Legislature expanded on the proven success of the Quality

Jobs program by increasing the cap on the program and allowing more businesses to be eligible for participation.

Other portions of the new law include increasing the annual cap on the Business Use Incentives for Large-Scale Development (BUILD) program and the New Markets Tax Credit program from \$15 million to \$25 million; promoting small business growth by prohibiting increases in the user fees imposed by the state for obtaining small business licenses for a four-year period; and allowing pre-employment training to be included in the state's new or expanding industry training program. Language from a bill Sen. Goodman sponsored is also in the bill, requiring the Office of Administration to maintain the Missouri Accountability Portal, an easy-to-search database of financial transactions related to purchases of goods and services by the state and the distribution of funds for state programs.

REFORMING TAX CREDITS

House Bill 191 is more than a job-creation bill. Through this new law, Missouri also made significant headway toward tax credit reform. Lawmakers were able to reach a consensus on some necessary changes to better manage the Missouri tax credit system.

Discussion of the economic development package naturally led to an examination of Missouri's use of tax credits, which are dollar-for-dollar reductions of state tax liability and a very popular tool to boost business. When used improperly, tax credits can give some businesses unfair advantages in the marketplace and drain limited state resources.

House Bill 191 institutes changes to some of the existing tax credit programs and improves transparency so the state can ensure it is benefiting from the issuance of certain tax credits.

One of these changes includes imposing caps on programs that were previously unlimited. Another tax credit reform involves reining in the Missouri Development Finance Board, which essentially had unlimited power to issue tax credits and could bypass any statutory caps. House Bill 191 limits the board to approving no more than \$25 million in tax credits annually.

Finally, the legislation requires the state to make the tax credit system more transparent. Tax credit recipients must report the number of jobs created as a result of receiving tax credits, and this information must be made available through the Missouri Accountability Portal.

What is MAP?

MISSOURI ACCOUNTABILITY PORTAL

The Missouri Accountability Portal is a website that serves as a single reference point for Missouri taxpayers to track how their hard-earned dollars are being spent. It also provides other important information related to the enforcement of government programs. Information about state agency expenditures, the distribution of economic development tax credits, state employee pay, and revenues and expenditures related to the American Recovery and Reinvestment Act of 2009 is available on the MAP website (www.mapyourtaxes.mo.gov).

Language from a bill Sen. Goodman sponsored (SB 155), which requires the state to continue to maintain the MAP, was included in HB 191.

Senator Goodman presides over the Missouri Senate with his son, Jack.



PREVENTING CATTLE THEFT

For the first time in many years, lawmakers passed a comprehensive bill addressing a wide range of issues relating to crime prevention in the Show-Me State (HB 62). Senator Goodman was able to add an amendment that will aid in the investigation and prosecution of cattle theft, which has become a serious problem in southwest Missouri. This year, there was a surge of cattle thefts in the area—enough to draw national attention.

One challenge that law enforcement faces in investigating and prosecuting cattle theft is locating and identifying the stolen animals before they are taken a long distance or destroyed. Also, because verifying ownership is not required when cattle are sold at an auction or stockyard, thieves can make their money very quickly and then slip away without ever being caught. While we do save Missouri's ranchers from having to pay fees by not requiring them to register their cattle, we needed to do something to help prevent stolen cattle from being sold, and along with them, any evidence of who committed the crime.

Senator Goodman's amendment addresses cattle rustling at the selling point. It allows law enforcement to have access to records at stockyards that are already open to the state veterinarian and the Department of Agriculture in order to locate and identify stolen cattle. Another component of the bill enhances the penalties for stealing livestock. This combination of legislative action will equip law enforcement to combat the growing problem of cattle rustling.

PROTECTING MISSOURI'S CHILDREN

This year the General Assembly passed Sen. Goodman's Senate Bill 36, which allows criminals convicted of violently raping or sodomizing children 11 years of age or younger to be sentenced to prison with no possibility of probation or parole—ever. Prior to the new law, those convicted of such unthinkable crimes were eligible for parole or conditional release after serving at least 30 years of their sentence.

To forcibly rape a child is one of the most morally reprehensible crimes imaginable. A person who commits this crime vilely dehumanizes the innocent young victim, causing irreparable damage. These criminals should receive the most serious punishment we can administer for destroying the innocence of a child.

Violent child rapists, who prey on the most innocent and vulnerable of victims, count on never being caught. If such people are not released back into our neighborhoods, they cannot reoffend. After passing SB 36, Sen. Goodman said, "If one innocent child is spared the life-changing tragedy of being some pervert's second victim, my time in public service will be worthwhile."

This year, Sen. Goodman sponsored Senate Bill 36, legislation that strengthens the penalty for committing violent sexual crimes against children.





Senator Goodman and Sen. David Pearce of Warrensburg discuss legislation in the Senate chamber.

REFORMING MISSOURI'S PUBLIC DEFENDER SYSTEM

Missouri is in the midst of an escalating crisis in the administration of justice, which is slowing the effective prosecution and incarceration of criminals. As we have all heard on television, when someone is charged with a crime that can be punished by imprisonment, that person has the right to an attorney. If he or she cannot afford one, an attorney will be provided. This right is guaranteed by the United States Constitution and exists to ensure that the rights of law-abiding citizens will not be trampled by government. If the Constitution is not protected for each of us, our rights become meaningless in the process. In Missouri, the public defender system provides legal counsel to indigent defendants accused of crimes that can be punished by imprisonment.

Throughout the past several years, funding of the public defender system has failed to keep pace with the growing caseloads in Missouri. Consequently, we no longer have enough public defenders to ethically and effectively handle their unmanageable caseloads. In many areas of our state, these insurmountable caseloads are slowing the administration of justice. This problem is prolonging the suffering of crime victims who must continue reliving their trauma throughout an extended trial process. It also creates a significantly increased risk of convictions being overturned on appeal due to ineffective assistance of counsel in cases where the public defender did not have the adequate time or attention to devote to the case, which could allow guilty people to return to our communities, posing a further threat to the original victims and all law-abiding Missourians.

This year, Sen. Goodman sponsored Senate Bill 37 to reform the public defender system by increasing flexibility and efficiency and allowing public defenders to make the most of their existing resources. Although the bill was approved by the General Assembly, the governor vetoed it. Consequently, it did not become law.

The personnel shortage in the public defender system is preventing the guilty from being incarcerated in a timely manner, preventing the innocent from being exonerated and causing the victims of crimes to continue enduring the distress of that crime for far too long. Senator Goodman is encouraged that his colleagues recognized the importance of this issue and hopes that next year, Missouri's public defender system will get the reform it so desperately needs.

A terrible fire this year in an Aurora apartment building left eight families with no place to live and virtually no belongings—all because a discarded cigarette was not fully extinguished. Thankfully, no one was killed or injured.

This unfortunate incident, right here in the 29th Senatorial District, makes the passage of House Bill 205 this session particularly timely. Senator Goodman handled this legislation in the Senate, which is the House's version of his Senate Bill 220. The bill prohibits the sale of any cigarette in Missouri that has not been tested, certified and marked that it has met certain safety standards.

Known as the Fire Safety Standard and Firefighter Protection Act, HB 205 requires that cigarette manufacturers meet certain safety and performance standards, including manufacturing cigarettes that are "fire-safe." This type of cigarette incorporates technology that causes it to self-extinguish if left unattended, significantly reducing the risk of causing a fire. In short, these cigarettes are supposed to go out if not puffed.

Requiring all cigarettes to be more fire-safe will not only help keep consumers safe, it will also protect our firefighters and preserve our firefighting resources. It is estimated that in the U.S., cigarette-ignited home fires kill between 700 and 900 people per year, making it the leading cause of home fire fatalities. Many times when the cause of a fire is undetermined, a neglected, lit cigarette is the culprit. Additionally, property losses from smoking-material fires total hundreds of millions of dollars each year.

When this bill is enacted in January 2011, Missouri will join the ranks of the 49 other states that require all cigarettes sold within their borders to be fire-safe. With the ready availability of affordable and effective technology, it is time we take this step to protect Missourians from the senseless fires that can take lives and destroy homes.

STANDING AGAINST THE FEDERAL STIMULUS PLAN

Early this year, the federal government put into action a purported “stimulus” plan with a price tag of nearly a trillion dollars for American taxpayers. The President and Congress insisted the spending bill must be passed right away or further unspecified economic calamities would befall the nation. This spending plan, with unprecedented spending by the federal government, was supposed to provide immediate relief to a downtrodden economy.

This influx of cash gave lawmakers some choices to make. Though much of the money was attached to certain mandates, the state did have discretion in deciding where a portion of the funds should be spent. Unfortunately, this meant designating money to special interests and other ill-advised expenditures during the worst economic crisis in decades. Senator Goodman voted against House Bills 21 and 22, two of the primary federal stimulus spending bills.

House Bill 21 contains nearly \$2.6 billion in spending mandated by the federal government in exchange for stimulus dollars. Rather than truly stimulating the economy and promoting a climate where Missourians can create jobs, this bill included chunks of taxpayer money for such ridiculous items as giveaways to fish farmers. While the bill did contain some worthy expenditures, the good was outweighed by inappropriate federal mandates. Unfortunately, the bill was passed by the General Assembly after long and heated debate and, subsequently, signed into law by the governor.

In recent years, under careful and wise fiscal management, Missouri has successfully gone from huge budget shortfalls to budget surpluses by controlling the growth of spending. Some of the spending in HB 21 is misleadingly labeled as one-time expenditures, when it will actually create an expectation for ongoing spending among those receiving services. We should not allow the overgrown federal government to corrupt Missouri’s responsible fiscal restraint by bribing the state into excessive spending that can only have two possible results: (1) Missouri taxpayers will be called upon to fund the growth in government after the one-time federal money is gone, or (2) Missourians who have become dependent on overgrown programs will be cut when the one-time federal money is gone. The first option is irresponsible. The second option is just plain cruel, since we already know it is one-time money.

The budget process this year culminated in the discussion of HB 22, a discretionary stimulus spending bill. House Bill 22, like HB 21, contained some legitimate government expenditures for needed infrastructure, maintenance and construction projects that, standing on their own, Sen. Goodman supports. However, he could not condone a package of pet

pork projects with a price tag of more than \$600 million. Senator Goodman was also opposed to HB 22 because it includes \$50 million in giveaways to two private companies.

While he supports government policy that promotes job creation through creating strong infrastructure and an educated workforce, eliminating undue regulation and minimizing taxes, he does not believe it is appropriate for the Legislature to take money from taxpayers’ hard-earned paychecks and then select individual companies to receive those dollars. Additionally, there is no guarantee that jobs created by such an artificial manipulation of the free market will be sustainable after the one-time infusion of government money is gone. Unfortunately, HB 22 passed despite his “no” vote.

Senator Goodman was also opposed to these bills because the debt created by the federal stimulus package will be a burden to be repaid by generations who are not even born yet. Rightfully, he is concerned about the fiscal problems this spending will create for our state when this one-time federal money is gone.

Missouri lawmakers should have taken a more responsible approach, holding the money back until they determine if state revenues will continue to decline in the next fiscal year (revenue projections are already lower than previously estimated). Senator Goodman believes we need to be sure we can meet government’s obligations to its taxpayers and guard against any attempts to raise taxes, especially in bad economic times. One concern is that, if the budget is too tight next year and this stimulus money has been squandered on pork, the state will be faced with the prospect of failing to meet its obligations to taxpayers and some may take advantage of that opportunity to advocate for tax increases. Rest assured, Sen. Goodman will not support raising job-destroying taxes, but he believes we should be proactive in guarding against that situation.

We are facing a very tough budget year, and it will take a return to Missouri’s fiscally conservative roots to ensure that our state does not fall into a budgetary abyss that too many other states—and the federal government—have come to accept.





PREPARING TOMORROW'S LEADERS TODAY

This year, after nearly a decade without any large education reforms, we were finally able to pass a comprehensive education bill—Senate Bill 291.

The bill included provisions to expand the use of virtual classrooms in Missouri schools and provide funding for school districts and charter schools to create new virtual school programs, building on the state's current virtual school. In 2006, Sen. Goodman sponsored and passed SB 912, which established the Missouri Virtual Instruction Program. This important legislation enables students to access daily lesson plans via the Internet that teach the same concepts being learned by other public school students. Senator Goodman's bill allows gifted students to take advanced courses not offered in their districts. Additionally, those homebound for medical reasons could utilize the virtual school to receive an uninterrupted education. Senator Goodman is excited that the virtual school's success has been recognized with expansion and additional resources.

Listed below are some of the key provisions of SB 291:

- All new revenue resulting from the gaming measure passed by voters in November 2008 will be placed in the Classroom Trust Fund and distributed to schools on a per-pupil basis.
- Each public school will develop standards for teaching by June 30, 2010. The teaching standards will center on students' success in the learning process and the teacher's

knowledge of the content, level of preparation, ability to manage students and degree of professionalism.

- Local school districts have the option to establish a four-day school week. The option would require the vote of a majority of the local school board members.
- The P-20 Council, a private, not-for-profit entity on behalf of the state, is created to develop a more efficient and effective education system to better prepare students for entering the workforce.
- The Missouri Senior Cadets Program is created to provide opportunities for 12th graders in public schools to mentor kindergarten through eighth-grade students.
- The School Flex Program is created to allow eligible students to work part-time and still pursue a timely graduation from high school.
- The Persistence to Graduation Fund is created with an established procedure for school districts to apply for grants to implement drop-out prevention strategies.
- "The Parents' Bill of Rights" is created to inform parents of children with an individualized education program of their educational rights under law.
- Students in elementary schools will participate in moderate physical activity (beginning 2010-2011) for an average of 150 minutes per week or 30 minutes per day.
- Districts hammered by inclement weather will only be required to make up a total of 10 school days.



PROTECTING SECRET BALLOTS

One of the basic principles of our democracy is that voting should always be a private choice. As Americans, this is one of our most fundamental beliefs. Now, sadly, there are some who want to deny this basic right in the contentious arena of labor relations. Having become impatient with their lack of success in recent years, special interest groups are pressuring Congress to enact legislation that would ultimately take the fundamental right of a secret ballot from American workers.

For more than 60 years, federal law has protected American workers' right to vote by secret ballot when deciding whether to form a union. The secret ballot lets workers vote their conscience without risking job loss, coercion or intimidation for making the "wrong" choice. The so-called federal "Employee Free Choice Act" would take that right away.

Currently, a signature-gathering process is used during organization drives to establish what percentage of workers is interested in union representation. If enough workers are interested, then a secret ballot election is held. While the Employee Free Choice Act would not actually repeal the secret ballot election, it would allow the signature collection process to assume the force of a vote so that no election is ever held,

exposing workers to outside pressures from both management and labor.

As if this is not dire enough, this jobs-destroying legislation is a direct threat to small businesses and other employers in southwest Missouri. By shortcutting the procedure for unionization and shutting employers out of the process, the proposed federal legislation would make it easier for unions to be certified and represent employees in businesses of all sizes. Additional labor costs would make it incredibly difficult for these businesses to compete in an already battered economy and would force many to lay off workers or shut their doors. In most cases, the costs would be passed on to you, the consumer.

This session, Sen. Goodman handled HJR 37 in the Missouri Senate, which was written to protect the secret ballot for Missouri's workers. If approved by voters, this resolution would have created a constitutional right in Missouri to cast a secret ballot in all government-regulated elections for labor representation, public office and issue questions. Although the measure did not pass, Senator Goodman hopes to see a successful petition drive to place it on the ballot next November.

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State Senator Jack Goodman District 29

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Economic Development	(573) 751-4962
Elementary & Secondary Education	(573) 751-4212
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Labor & Industrial Relations	(573) 751-4091
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Public Safety	(573) 751-4905
Revenue	(573) 751-4450
Social Services	(573) 751-4815
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