

STATE SENATOR  
**DELBERT SCOTT**

Serving the citizens of  
the 28<sup>th</sup> District

**Inside:**

**Page 2 - Transportation,  
Mortgage Brokers, and  
Preneed Funeral Contracts**

**Page 3 - Addressing Crime,  
Legislation Affecting  
Missouri Citizens**

**Page 4 - FY2010 State Budget**

**Page 5 - Law Enforcement  
Education, Alzheimer's  
Awareness**

**Page 6 - Legislative  
Internship, Improving  
Education in Missouri**

**Page 7 - Additional  
Legislation Affecting  
Missouri Citizens**

**Page 8 - Sen. Scott's  
Committee Memberships,  
Touring the State Capitol**



As we near the end of 2009, I wanted to report to you some of the key events of the past legislative session. Each year there are lots of issues that clamor for attention, some of limited scope and some that affect most Missourians. In spite of the financial challenges facing the state of Missouri, the Legislature identified a number of issues that needed attention and took decisive action.

Sometimes, as your Senator, I struggle to determine what the role of government should be in our complex society. I think Thomas Jefferson said it best, "what more is necessary to make us happy and a prosperous people? Still one thing more, fellow citizens — a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned."

It is a wonderful privilege to represent you in the Missouri Senate. I cannot do the job in an adequate manner without hearing regularly from you, my constituents. By working together we can have a streamlined, efficient state government that meets our basic needs without overburdening the taxpayer.

Take care and God Bless,

**Contact Information:**

State Capitol Building, Room 416  
Jefferson City, MO 65101  
(573) 751-8793  
[www.senate.mo.gov/scott](http://www.senate.mo.gov/scott)

## Transportation Legislation Passes Legislature

Transportation-related issues appear each year in the General Assembly, and this past session, lawmakers worked together to pass an omnibus transportation bill for the citizens of Missouri.

House Bill 683 most notably statutorily requires that the awarding of fee office contracts be done through a competitive bidding process. Until recently, the contracts were awarded on a subjective basis. Another part of the bill establishes a drunken driving risk reduction awareness program called David's Law. This program allows for the placement of MoDOT memorial signs at the scene of alcohol-related accidents. Family members of a victim may request to sponsor a sign on the victim's behalf.

Other parts of House Bill 683 require shippers of radioactive waste in or through Missouri to be subject to fees; create an interstate interchange designation program to honor fallen Missouri military members who have been killed in action in Afghanistan or Iraq on or after Sept. 11, 2001; exempt vehicles from the state motor vehicle safety inspection for the five-year period (currently two years) following their model year of manufacture; and allow motor vehicle dealers, acting as agents of the state, to title and register vehicles and collect and submit sales tax. The governor signed HB 683 on July 1.



Several Bearcreek community members, along with Sen. Scott, cut the ceremonial ribbon during a recent dedication ceremony on Route 32 in Cedar County.

## Monitoring Residential Mortgage Brokers

All of America is suffering economic distress from the collapse of the housing market. After several years of a boom in the building and sale of homes, we find that some of the boom was driven by bad loans, often caused by either overlooking common sense guidelines or fraudulently packaging loans in order to make greater amounts of money.

The federal government identified the residential mortgage broker industry as the source of many of the bad loans. Before, our system lacked the ability to track down brokers who originate these faulty loans. House Bill 382 institutes new tracking procedures to identify and license each mortgage broker and registered loan originators in state- and federally-chartered financial institutions.

Each licensed broker must register with and maintain a valid unique identifier issued by the Nationwide Mortgage Lending System (NMLS) and registry. Licensed brokers also have to verify their identity for the purpose of a background check, meet financial responsibility requirements, and pass a knowledge test covering the basics of the industry.

The bill also includes new penalties for fraud, misrepresentation of the facts, and directly or indirectly misleading borrowers or lenders. Because the bill passed with an emergency clause, it took effect on July 8, when the governor signed it.

## Regulating Preneed Funeral Contracts In Our State

The first Senate bill I filed for the past session rewrites Missouri's law dealing with preneed funeral contracts. During the prior year, the largest company in America selling preneed funeral contracts collapsed, leaving many people wondering if their purchase would cover the cost of their funeral when they died.

After months of hearing testimony from Missourians who had concerns, the Legislature approved and sent to the governor Senate Bill 1. As of August 28, 2009, it is now law.

The key issue in prepaying for funeral services is confidence that when the funeral does take place, whether it be in 6 months or in 10 years, the services will be paid for.

The bill sets up three ways for

funeral homes or preneed sellers to finance a preneed contract:

- Trust funds that are set up and administrated by a financial institution;
- Jointly-owned certificates of deposit in a local bank; and
- Whole life insurance policies.

In each of these approved methods, sellers are required to annually report to the Board of Embalmers and Funeral Home Directors the details of each preneed funeral contract.

The bill also sets up licensing and contract requirements for preneed funeral contract sellers, providers, and seller agents.

Senate Bill 1 should once again restore confidence in the purchase of prepaying for a funeral.



## Legislation Affecting Missouri Citizens

**House Bill 82** - Creates a state income tax exemption for military retirement benefits. The exemption will phase in gradually, beginning in 2010 with 15 percent of this type of income being tax exempt, increasing 15 percent each following year until 2016 when the exemption reaches 100 percent.

**Senate Bill 157** - Codifies the five regional autism projects currently serving individuals with autism and their families through the Division of Developmental Disabilities within the Department of Mental Health.

**House Bill 250** - Ensures citizens in our state will not be denied access to horse and mule trails and roads currently having this designation by our state, except when conditions are not suitable due to public safety concerns, necessary maintenance, or for reasons related to the mission of the agency that owns or manages the land.

**House Bill 246** - Changes our state's laws regarding surface mining and gravel excavation.

**House Bill 1075** - Allows Missouri to receive extended federal unemployment money through the American Recovery and Reinvestment Act of 2009. In turn, the state will use those funds to extend the amount of time out-of-work Missourians can receive unemployment benefits and expand who may be eligible for such benefits.



Senator Scott proudly holds up his new granddaughter, Brooke.

## Crime Bill Will Help Keep Missourians Safe

An omnibus crime bill that made its way through the Legislature during the last few days of session is the first large crime measure to pass the General Assembly in recent years. House Bill 62 contains more than 50 provisions to strengthen law enforcement and protect our citizens.

Two of the provisions deal with the crime of cattle rustling. The first allows law enforcement officers to view, without prior notification or a search warrant, any record open to inspections by the state veterinarian or the Department of Agriculture. By tracking the animals going through a sale barn, law enforcement can more quickly identify stolen animals. The measure also provides that repeat cattle thieves serve at least 80 percent of their sentence before being eligible for probation or parole.

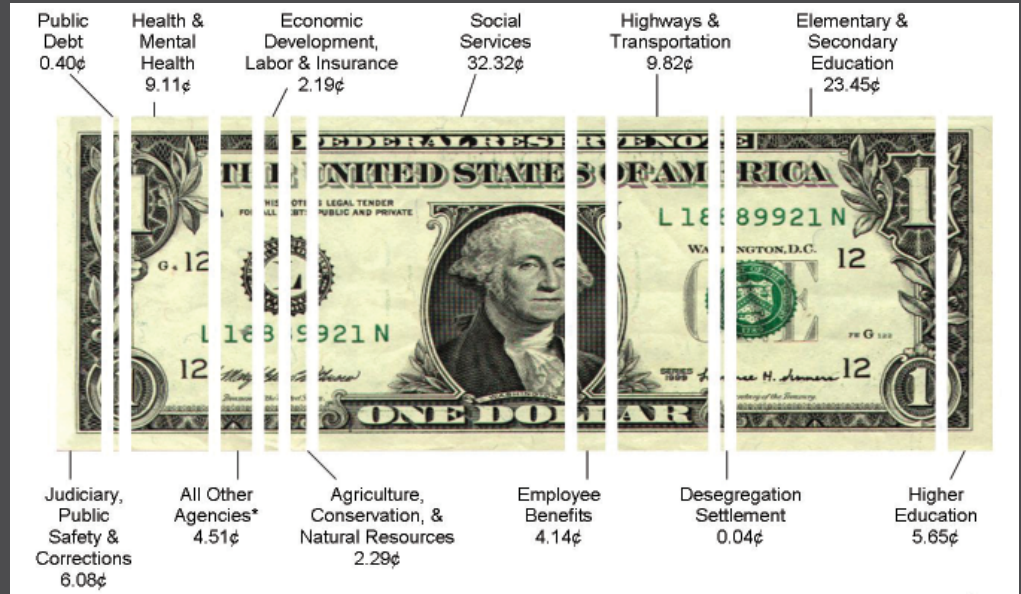
Several provisions tighten up the restrictions on sexual offenders by further limiting their presence at child care facilities, public swimming pools, or public parks. The bill also prohibits certain sexual offenders from serving as an athletic coach, manager, or trainer for any sports team with participants younger than 17 years old.

Other provisions in HB 62 include prohibiting the use of false or misleading diplomas in connection with admission to a college or university or for employment; creating penalties for owners of dogs that cause injury on public property and giving an absolute defense against civil liability or prosecution for killing or injuring certain threatening dogs; and provides penalties for any person who removes an electronic or radio transmitting collar from a dog without the permission of the dog's owner with the intent to prevent or hinder the owner from locating the dog.

Each new provision is designed to make Missouri citizens safer and to protect our personal property.

## Distribution of Each Tax Dollar FY 2010 After Veto Missouri Operating Budget All Funds: \$23.087 Billion

“The FY 2010 budget reflects the Legislature’s commitment to education, job development, and infrastructure improvement.”



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



## \$23.1 Billion For State’s FY 2010 Budget Beginning July 1, 2009

### Passing a Fiscally Responsible Budget for the Citizens of Missouri

The General Assembly fulfilled its constitutional requirement by passing a fair and balanced budget one day before the Friday, May 8 deadline. The governor submitted his annual budget plan to the Legislature back in January, and since then, the General Assembly worked on a plan to pass a budget that was going to work for the people of our state.

Thirteen House bills (HBs 1-13) make up our state’s budget plan, and each one allocates money to different state departments and programs in Missouri. This year, funding for education and running other crucial functions of state government were the leading priorities. Budget bills enacted a \$63 million increase for our state’s school funding for the foundation formula and designated funding to projects that will create

jobs and improve our infrastructure. Our state’s budget is balanced without burdening citizens with a tax increase.

The FY 2010 budget reflects the Legislature’s commitment to education. An increase to higher education funding for community colleges across our state will ensure that more students in our state will be able to afford to carry on their educational experience after graduating high school. And the General Assembly was able to fully fund — for the fourth year in a row — the state’s funding formula for K-12 students.

Other budgetary items for the 28<sup>th</sup> Senatorial District include (totaling \$113,300,738):

- State Fair Community College - \$5,837,071

- State Fair Community College M&R - \$1,000,000
- State Schools for the Severely Handicapped - \$873,691
- K-12 Foundation Formula - \$95,878,895
- Missouri State Fair - \$4,916,116
- Pomme De Terre State Park - \$424,113
- Stockton State Park - \$280,762
- Bothwell Lodge State Park - \$173,394
- Prairie State Park - \$307,907
- Harry S. Truman Birthplace State Historical Site - \$135,770
- Harry S. Truman State Park - \$313,227
- Southwest Missouri Psychiatric Hospital - \$3,159,792



## Bill Deepens the State's Law Enforcement Recruiting Pool

A measure I filed in the Senate that has been signed by the governor changes the educational requirements for Missouri Water Patrol members, Highway Patrol members, and radio personnel. Instead of limiting the job pool to only those who graduate from an accredited four-year high school, Senate Bill 47 will include completion of a public

or private high school program of education, or a General Educational Development (GED) certificate.

As is the case under current law, patrol members and radio personnel candidates must also:

- Be 21 years of age or older.
- Not have been convicted of a felony or any crime involving conduct considered contrary to community standards of justice, honesty, or good morals.
- Be a citizen of the United States and, at the time of appointment, a citizen of the

state of Missouri.

- Pass specific coursework and testing administered by various departments (Highway or Water Patrol).

Our state should not limit who can protect our waters and highways, and operate our emergency communications systems based on a technicality regarding education. Those who graduate from public and private schools leave with the same skills and knowledge needed for "the real world." The same can be said of those who have earned the GED certification.

## Legislature Recognizes Alzheimer's Awareness

Alzheimer's is a very common and fatal brain disease. According to an Alzheimer's advocacy group, approximately 5.3 million citizens in our country are living with this disease. Alzheimer's attacks and destroys brain cells, resulting in problems with memory, thinking, and behavior that is severe enough to affect a person's everyday routine. Alzheimer's currently has no current cure, resulting in numerous devastating effects to the patient and their loved ones. Alzheimer's and its related symptoms, including dementia, triple health care costs for Americans 65 and older. The direct and indirect costs of Alzheimer's and its related symptoms costs Medicare, Medicaid, and other related businesses more than \$148 billion each year.

Treatment for Alzheimer's symptoms, in tandem with the right services and support, can help those diagnosed with this disease continue to carry on with their day-to-day activities. This past session, the General Assembly recognized the continuing need to study this disease. With the governor's approval of House Bill 272 on July 13, an Alzheimer's State Plan Task Force was created that will assess the current and future impact of Alzheimer's disease and related symptoms on Missourians.

The task force is also charged with examining the



**Senator Scott with his granddaughter Brooke celebrating the 4<sup>th</sup> of July.**

existing services and resources for those diagnosed with dementia, their families, and caregivers, and developing recommendations to respond to escalating public health situations regarding Alzheimer's disease. The task force will submit a report of its findings and recommendations to the General Assembly and the governor no later than Nov. 15, 2010.

With the creation of this task force, Missouri will join a world-wide effort to help find new and better ways to treat this disease that affects so many citizens.

## Watching the Legislative Process — Up Close and Personal

Each legislative session, I am blessed to have an intern work with my office who is eager to know more about our state's government and the legislative process. My legislative interns are charged with the important task of making sure our office works efficiently for the citizens of the 28<sup>th</sup> Senatorial District.

Last session, Kristen O'Neal, a recent graduate of Southwest Baptist University, had the opportunity to observe firsthand the inner workings of state government.

As my legislative intern, Kristen was able to gain valuable insight into the process by which laws are made. During session she conducted research, helped with constituent services, and assumed various other responsibilities in order to make our office run as smooth and efficient as possible.

Kristen plans to attend the University of Missouri-Kansas City School of Law and I wish her continued success and happiness in all future endeavors.

Thanks for all of your hard work Kristen!



Senator Scott with his 2009 legislative intern, Kristen, on the dais in the Senate chamber.

## Large Education Measure Benefits Students Throughout Our State

Helping Missouri students receive a quality education is always a top priority each legislative session. A wide-ranging bill passed last session will institute some major reforms for schools across our state. Senate Bill 291 started out as a single provision allowing school districts to offer virtual courses and receive state funding. With more than 30 provisions added to that particular piece of legislation, Missouri will remain a leader in education reform.

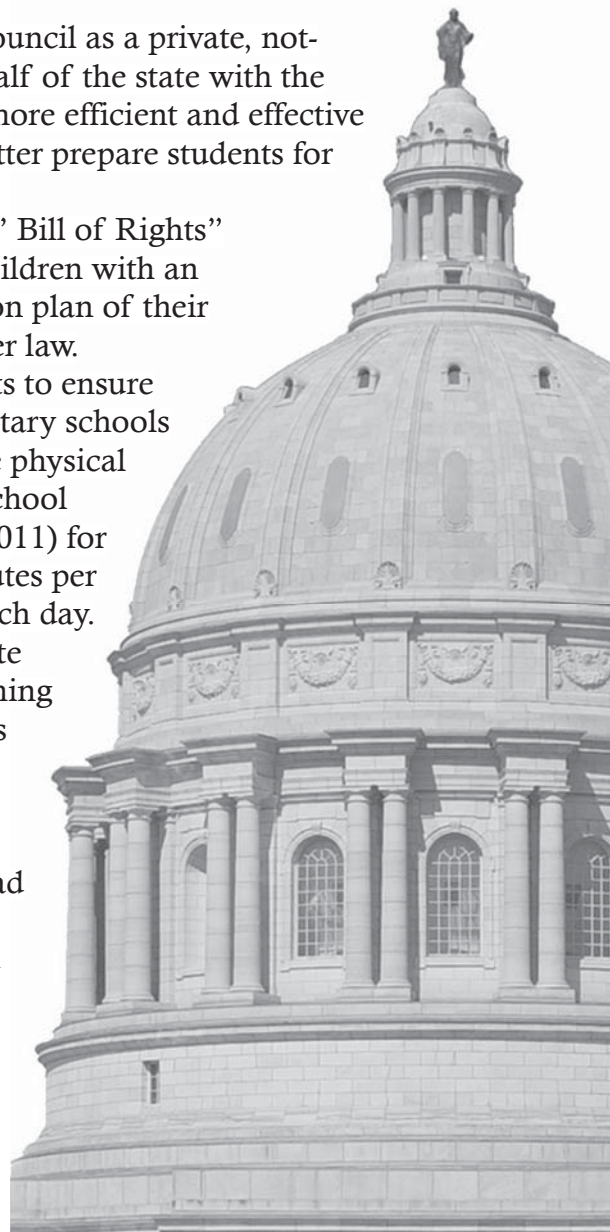
Senate Bill 291 also creates the Missouri Senior Cadets Program, which will provide opportunities for 12<sup>th</sup> graders in public schools to mentor kindergarten through eighth grade students; establishes the School Flex Program to allow eligible students to pursue a timely graduation from high school; and creates the Persistence to Graduation Fund, which provides a way for school districts to apply for grants to implement drop-out prevention strategies.

The measure also:

- Establishes the P-20 Council as a private, not-for-profit entity on behalf of the state with the purpose of creating a more efficient and effective education system to better prepare students for entering the workforce.
- Develops “The Parents’ Bill of Rights” to inform parents of children with an individualized education plan of their educational rights under law.
- Requires school districts to ensure that students in elementary schools participate in moderate physical activity for the entire school year (beginning 2010-2011) for an average of 150 minutes per week, or 30 minutes each day.

Another big change Senate Bill 291 will require is teaching standards for public schools by June 30, 2010, as well as allowing school boards to establish an expanded four-day school week instead of a five-day school week by a majority vote of board members.

With the governor's signature, most provisions in Senate Bill 291 became law on Aug. 28.





## Additional Legislation Affecting Missourians

Lawmakers passed 162 of the more than 1,700 bills introduced during the 2009 legislative session. The governor chose to veto 12 Senate bills, 11 House bills, and line items in 11 appropriations bills in the Fiscal Year 2010 budget. The regular bills signed by the governor took effect on August 28. Those measures with an emergency clause became law upon the governor signing them. There was no veto override attempts in the Senate during the September veto session.

To see a complete list of bills passed by the General Assembly and signed into law by the governor, visit the Missouri Senate website ([www.senate.mo.gov](http://www.senate.mo.gov)), click on **Session Information**, and then on **Governor's Action on Truly Agreed Bills**.

**Senate Bill 36** - Strengthens penalties for forcible rape or sodomy of a child under the age of 12 to life imprisonment without ever being eligible for probation, parole, or conditional release. Before this legislation became law, the penalty for such crimes was life imprisonment without the eligibility of probation or parole until the person had served at least 30 years of the sentence.

**Senate Bill 44** - Subjects Missouri's privately owned jails to the same regulations as public jails, including requiring such facilities to report escapes.

**House Bill 93** - Allows tractors participating in parades for fund-raising purposes and other special events to be exempt from certain height, width, and length requirements.

**Senate Bill 126** - Prohibits life insurers from taking underwriting actions or charging different rates based upon a person's past or future lawful travel destinations.

**Senate Bill 141** - Protects men from false paternity claims and ensures they know their right to contest paternity and request genetic testing.

**House Bill 152** - Expands Missouri's DNA profiling system by requiring anyone arrested for certain violent felonies, sexual offenses, and burglary to provide a DNA sample for the database. Previously a sample would be taken at the point of conviction.

**House Bill 154** - Establishes the Foster Care Education Bill of Rights and changes the laws regarding the placement of children and the appointment of stand-by guardians.



**Senator Scott and his grandson Brennen at a Kansas City Royals game.**

**House Bill 191** - Omnibus economic development measure that increases the amount of money that can be used in the Quality Jobs program; reforms the state's tax credit system; and caps the amount of tax credits the Missouri Development Finance Board can issue annually.

**Senate Bill 376** - Also known as the "Missouri Energy Efficiency Investment Act," encourages utilities to develop voluntary energy efficiency programs for their customers with the goal of reducing the growth of overall state electric usage.

**House Bill 427** - Omnibus military legislation that allows veterans displaying Congressional Medal of Honor, Prisoner of War, Purple Heart or Silver Star special license plates or Bronze Star placards to park for free in metered parking spaces upon approval of the city council; designates May 1 of each year as Silver Star Families of America Day (Silver Star Families support and assist wounded or ill service members and their families); and adds four lawmakers to the Missouri Veterans Commission.

**Senate Bill 542** - Expands eligibility for the state's "Linked Deposit Loan Program" and modifies provisions for the state treasurer.

**House Bill 866** - Removes unsubstantiated complaints made against licensed social workers and physicians by certain sexually violent predators from the respective licensing board's records.

**House Bill 919** - Before passage of this law, group health insurance laws excluded sole proprietors and self-employed individuals from participating in group health insurance. This bill allows associations to provide group health insurance policies to these classes of people.

STATE SENATOR  
**DELBERT SCOTT**  
Serving the citizens of  
the 28<sup>th</sup> District



SENATOR DELBERT SCOTT  
201 W CAPITOL AVE RM 416  
JEFFERSON CITY MO 65101

PRSRT STD  
U.S. POSTAGE  
PAID  
Jefferson City, MO 65101  
Permit No. 220

## Senator Delbert Scott's Legislative Committees:

- Administration
- Financial and Governmental Organizations and Elections, Chairman
- Transportation
- General Laws
- Joint Committee on Legislative Research
- Joint Committee on Transportation Oversight
- Joint Committee on Public Employee Retirement

## History, Architecture, and Culture In Jefferson City Awaits Citizens Across Missouri

I am extremely privileged to return to the State Capitol each legislative session to work in this grand and beautiful building.

Most of the space in the Capitol that is not used as office buildings, hearing rooms, and legislative chambers is dedicated to house educational exhibits in the Missouri State Museum, which occupies nearly the entire first floor. And hundreds of pieces of art appear throughout the Capitol building, including what is thought to be the most notable piece, Thomas Hart Benton's "Social History of Missouri."

A 30-minute guided tour is the absolute best way to experience what our State Capitol has to offer — from its history to its architectural features. Capitol tours are given Monday through Saturday every hour on the hour (excluding the noon hour) for walk-in guests. Reservations are required for groups of 10 or more. And



**Senator Scott quail hunting in Polk County.**

on Sundays, tours are given at 10 a.m., 11 a.m., 2 p.m., and 3 p.m. Tour reservations may be made online ([www.dnr.mo.gov/TourReservations](http://www.dnr.mo.gov/TourReservations)) or by calling (573) 751-2854.

A walk around the Capitol grounds will also showcase the Governor's Mansion ([www.missourimansion.org](http://www.missourimansion.org)) and our state's Supreme Court building ([www.courts.mo.gov](http://www.courts.mo.gov)). And by calling 1-800-769-4183, you can reserve a tour time and purchase tickets (\$12 a person) to see the former Missouri State Penitentiary, where some buildings date back to the 1800s.