



State Senator

Rita Heard Days

District 14



Column For Week of: **February 9, 2009**

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Senate Gives First-Round Approval to Several Bills

Power Plant Legislation Receives Committee Hearing

The first bills to be debated by the full Senate this session made their debut on the floor this week as lawmakers are off to a swift start getting legislation to the Senate floor for consideration.

Receiving first-round approval on Wednesday was [Senate Bill 36](#), sponsored by Sen. Jack Goodman (R-Mt. Vernon). The bill removes the possibility for parole, probation or conditional release for those who forcibly rape or sodomize a child under 12. Under current law, a person who commits this crime may be eligible for release after serving at least 30 years of the sentence.

Also receiving an initial passing vote on Wednesday was [SB 26](#), sponsored by Sen. Luann Ridgeway (R-Smithville). Similar to a bill she sponsored last year, the measure prohibits the use and possession of alcoholic beverage vaporizers, devices that allow alcohol to be inhaled and directly enter the bloodstream.

[Senate Bill 1](#), sponsored by Sen. Delbert Scott (R-Lowry City), received a first-round vote on Thursday after multiple days of debate on the floor. This legislation establishes licensing and contract requirements for pre-need funeral contract sellers, providers and seller agents. Pre-need funeral contracts allow individuals to pay for funeral and burial expenses prior to death.

Brought to the floor this week, but not receiving a vote was [SB 128](#), sponsored by

Sen. Scott T. Rupp (R-Wentzville). The bill removes the current cap on design-build transportation projects—where a single entity is responsible for the design and construction elements of a project—for the purpose of allowing MoDOT to enter into more design-build contracts. The cap’s removal may allow Missouri to receive more funding through the federal economic stimulus plan for infrastructure projects.

This week, lawmakers continued to receive appointments to Senate committees. I was recently appointed to serve on the [Joint Committee on Public Employee Retirement](#). The joint committee is responsible for studying state and local government retirement systems, analyzing the need for changes in statutory law regarding these systems, and devising a standard of reporting in order to obtain information on each public employee retirement system.

The Joint Committee on Public Retirement was created in 1983 in response to a growing concern about the fiscal integrity of our state’s public employee retirement system. I am honored to be selected to serve on this important committee, which is committed to improving public retirement systems for hard-working citizens of this state.

The majority of legislative work is still being conducted in committees. One of the most anticipated bills this session will determine whether utilities can charge customers for the construction of a new facility before it goes online. [Senate Bill 228](#), sponsored by Sen. Scott, received a hearing in the [Senate Commerce, Consumer Protection, Energy and the Environment Committee](#) this week. Senators Wes Shoemyer (D-Clarence), Frank Barnitz (D-Lake Spring) and Tim Green (D-St. Louis) have also signed on to co-sponsor the bipartisan bill, which creates the Missouri Clean and Renewable Energy Construction Act.

Senate Bill 228 allows a utility company to recover any financing costs associated with the construction of certain types of “clean energy” power plants through customer rates prior to a plant being operational. Eligible power plants include nuclear facilities, such as the proposed nuclear plant in Callaway County.

The bills overturns current Missouri construction work in progress (CWIP) law, which bars investor-owned utilities from passing on expenses of building a power plant to their customers before the facility starts producing electricity.

This week my legislation, [SB 55](#), was passed out of the [Senate Education Committee](#). The bill allows school districts to maintain permanent records in a digital or electronic format. School districts must follow the manufacturer's guidelines, suggestions, and recommendations when using these digital formats and must not use them beyond the manufacturer's suggested time period.

[Senate Bill 140](#), sponsored by Sen. Jeff Smith (D-St. Louis), was passed by the [Senate Judiciary Committee](#). The bill allows defendants in criminal non-support cases to receive education, vocational training and/or substance abuse treatment, giving them a better opportunity to resume child support payments. Successful completion of these court-ordered programs may reduce or dismiss the charges or penalties against the defendant.

Sen. Smith's bill protecting fathers from false paternity claims, [SB 141](#), was also passed this week by the [Senate General Laws Committee](#).

[Senate Bill 45](#), the Senate's comprehensive job creation package, was passed by the [Senate Jobs, Economic Development and Local Government Committee](#) this week and is expected to be brought to the floor soon. The measure, sponsored by Sen. David Pearce (R-Warrensburg), raises the tax credit cap on the Quality Jobs Act from \$60 million to \$120 million and provides tax incentives for small business expansion, among other provisions.

Senate Leader Charlie Shields' (R-St. Joseph) quality child care rating bill was passed by the [Senate Health, Mental Health, Seniors and Families Committee](#) this week. [Senate Bill 4](#) creates a quality rating system for all early childhood learning centers operating in the state, providing parents with a quantifiable method for choosing the child care facility best suited for their child.

Receiving a hearing in the same committee was [Senate Bill 144](#), sponsored by Sen. Robin Wright-Jones (D-St. Louis). The legislation establishes the Prostate Cancer Pilot Program, which would fund prostate cancer screening and treatment services to certain uninsured men in the state.

Senator Bill Stouffer's (R-Napton) biodiesel bill was passed by the [Senate Agriculture, Food Production and Outdoor Resources Committee](#). [Senate Bill 29](#) requires

all biodiesel fuel sold in Missouri after a certain date to be a 5 percent biodiesel blend. Another of Sen. Stouffer's bills received a hearing in the [Senate Transportation Committee](#). The legislation, [SB 30](#), requires certain motorists who have had their driver's licenses suspended or revoked to display restricted license plates.

A bill creating an income tax deduction for the purchase of a hybrid vehicle was heard in the [Senate Governmental Accountability and Fiscal Oversight Committee](#) this week. [Senate Bill 163](#), sponsored by Sen. Jolie Justus (D-Kansas City), creates a deduction, beginning with purchases made in 2009, which is limited to 10 percent of the vehicle's purchase price or \$2,000, whichever is less.

[Senate Joint Resolution 1](#), sponsored by Sen. Matt Bartle (R-Lee's Summit), received a hearing in the [Senate Financial and Governmental Organizations and Elections Committee](#) this week. The resolution would put a constitutional amendment in front of voters that if passed, would create the Missouri Savings Account. General revenue funds would be deposited annually at a rate of 2 percent for that year, and if general revenue collections do not increase by 3 percent or more by the end of a fiscal year, the money deposited in the fund would be used for the next year's expenditures. In case of a budget shortfall or forecasted decrease in revenue, the General Assembly may utilize one-third of the fund for budgetary purposes.

Finally, Sen. Dan Clemens (R-Marshfield) presented a resolution on the Senate floor, [Senate Concurrent Resolution 21](#), which, if passed by the Senate and House, would convey the General Assembly's support of the "25 by 25" national renewable energy initiative to Congress and the President. America's farms and forests would provide 25 percent of the nation's energy needs by the year 2025, while continuing to produce safe and affordable food and fiber.

The Missouri Senate will reconvene at 4 p.m. Monday, February 16, 2009. The First Regular Session of the 95th Missouri General Assembly will run through Friday, May 15, 2009.

If you have comments or questions about this week's column or any other matter involving state government, please feel free to contact my office at (573) 751-4106.

*Senator Rita Heard Days represents a portion of
St. Louis County in the Missouri Senate.*



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