



STATE SENATOR DELBERT SCOTT

DISTRICT 28

2010 END OF SESSION REPORT

Dear Friends,

As a man who still lives in the same town he was born and raised in, I have the great privilege of really knowing my neighbors and fellow citizens of St. Clair County and the surrounding areas that make up the 28th Senatorial District.

This long-standing connection to my Senate district and the constituents who live in it makes it even more difficult to say “goodbye” to them and the Legislature. Term limits have deemed the 2010 legislative session as my last in the Missouri General Assembly.

I will miss the close friendships I have made with my fellow lawmakers and Capitol staff members over the last 26 years. But most of all, I will miss the opportunity of acting as the voice of more than 165,000 citizens in Barton, Benton, Cedar, Dallas, Henry, Hickory, Pettis, Polk and St. Clair counties.

The 2010 session of the Legislature was overshadowed by the difficult budget situation. As income to the state continued its second year of decline, we were forced to re-evaluate the governor’s proposed budget and reduce it by nearly \$500 million. These reductions make it especially difficult for citizens who rely on the state for mental health services, in-home services, and some education programs. As we look into the near future, it appears that state income from sales and income taxes will continue to decline until new job opportunities expand hiring and encourage retail purchasing. This means that Missourians will need to continue to live within their means and expect only the basics from state government.

The budget decline also influenced the type of legislation approved this year. There were few new programs started and the key question on each proposal was, “what does it cost?” By asking tough questions, we were able to stand by our commitment of no new taxes for Missouri citizens.

The Senate also started a process I hope continues in the future. It was called “Rebooting Government.” We asked Missouri’s citizens to offer their view of how to make state government more efficient and asked them to identify where they saw money being wasted. We also invited them to share their ideas for a state government that responds to the needs of its citizens. Thousands of Missourians responded with many great ideas, some of which we were able to get passed into law. There are many more ideas left for action next year. By working together we can all help make Missouri a better place to live.

Even though I will soon pass the torch on to the next senator for the 28th District, my office in Jefferson City remains open to take your phone calls and respond to your needs throughout the rest of this year. It has been an honor and privilege to serve you in state government over the last eight years in the Missouri Senate and over the last 26 years in the Legislature.

I urge you to remain very active in your state government and keep all of our elected officials accountable to the voters.

Take care and God Bless,

State Senator Delbert Scott
28th Senatorial District



INSIDE

- 2 **Ethics Reform in the Senate, Saying “No” to Landowner Tax Increases**
- 3 **Changes to Education, Protecting Our State’s Fundamental Rights**
- 4 **Important Legislation in the Senate: (2004-2007)**
- 5 **Important Legislation in the Senate: 2007 (cont.) - 2010, Pro-Life Legislation**
- 6 **“Rebooting Government,” Tax Returns, Veterans’ Issues**
- 7 **Strengthening Adult Industry Regulations, DWI and Illegal Drugs Legislation**
- 8 **Senator Scott’s Committees, Addressing Missouri’s Budget Needs**

ETHICS REFORM TOPS LEGISLATIVE PRIORITIES THIS SESSION

A bill seeking to improve ethics standards was passed by the Missouri Senate this session. **Senate Bill 844** would allow the Missouri Ethics Commission to investigate ethics violations without an outside complaint being filed and makes it a crime to obstruct an ethics investigation. This measure gives the ethics commission some flexibility and teeth to begin necessary investigations, not just when a complaint is filed.

In addition, the bill requires incumbent elected officials and their challengers to electronically report contributions they receive during the regular session of the General Assembly. Any contributions totaling more than \$500 must be electronically reported within 48 hours during this timeframe. Missourians deserve to know where this money is coming from so we can avoid even the appearance of pay-to-play politics.

The bill also ends the practice of legal money laundering by eliminating potentially 725 campaign committees and limits the transferring of contributions among most committees. Finally the legislation makes it clear that no statewide elected official or lawmaker may offer employment where compensation is above actual expenses to another statewide elected official or lawmaker in exchange for his or her official vote.

This ethics bill brings a new level of accountability and transparency to Missouri's political environment. Once signed by the governor, the bill will take effect August 28.



Senator Scott with constituents at a ribbon cutting ceremony in Appleton City.

AGRICULTURE ISSUES: SAYING “NO” TO LANDOWNER TAX INCREASES AND PROTECTING OUR ANIMALS AND PROPERTY

The first resolution passed during the 2010 legislative session was approved within the first couple of weeks of session. **Senate Concurrent Resolution 35** rejects the Missouri State Tax Commission's December 2009 decision to increase some of the values assigned to agriculture land in our state.

In Missouri, property is assessed at different percentages of value according to the type of property or its use. Agriculture property must be devoted primarily to raising crops, livestock, dairying, and other agricultural uses. According to the tax commission, land used for agricultural value purposes is based on productivity grades rather than market values. Agriculture land has eight different grades and an assessor is required by law to place agricultural land in one of the grades of the purposes of valuing it.

Senate Concurrent Resolution 35 ensures that the tax commission's vote to increase land valuations on certain grades of farmland while decreasing land valuations on others is not enacted. The valuation changes, if they would have gone into effect, would have amounted to an approximate 11.5 percent increase in taxes on farmland overall.

While property tax levies are set locally, the commission's increase in farmland productive value would have meant a tax increase on farmers and ranchers statewide. This would have been an unnecessary increase on Missouri farmers who are already struggling during these tough economic times. By statute, the Missouri General Assembly had 60 legislative days to reverse the Missouri State Tax Commission's decision, or the changes would have taken effect Jan. 1, 2011.

The Legislature also passed **Senate Bill 795** which makes it a crime to recklessly release feral hogs on any public or private land not completely enclosed by a fence. In addition, the bill creates the Large Carnivore Act which protects domesticated animals and property from non-native dangerous animals, or large carnivores. A person can kill large carnivores without civil liability if the person believes the animal is attacking or killing another person, livestock, or pet (if the pet is being attacked outside the large carnivore's enclosure).

NEW DIRECTIONS...

Senator Scott recently received an honorary doctorate from Southwest Baptist University and is now serving as the President of the Kansas City College and Bible School.



CHANGES TO EDUCATION

Senate Bill 733 equalizes Access MO scholarships for public and private universities for the 2014-2015 academic year and beyond. Students attending a public two-year school would receive between \$300 and \$1,300, while a student attending a public four-year school (or an approved private school), would be eligible for \$1,500 minimum and \$2,850 maximum.

Senate Bill 733 also addresses the Bright Flight Scholarship Program, stating that if a scholarship recipient cannot attend an approved institution because of military service, the student will still be able to receive the scholarship if he or she returns to full-time status within six months of completing military service. In addition, the bill expands scholarship eligibility to those who have received a GED, completed a home schooling program of study, or secondary course work through Missouri's Virtual Public School. Plus, students in the top 3 percent of Missouri ACT or SAT-test takers will receive awards prior to any student in the top 4 or 5 percent receiving an award.

House Bill 1543, an omnibus measure pertaining to elementary and secondary education, would:

- Protect school employees from lawsuits when they follow established school discipline policies;
- Provide flexibility to school districts in how they must spend money during times of under-funding or withholding by the state;
- Allow all public school districts to require a school uniform or restrict student dress;
- Specify that a student must be allowed to self-administer medication for any chronic health condition;
- Allow any school district to fund the Career Ladder Program, but specifies that the state is obligated to pay only if the appropriation is done in advance;
- Give districts who wish to continue the Parents as Teachers Program a cost-sharing strategy to fund the program and require priority to be given to high-need families.

TAKING A STAND TO PROTECT OUR FUNDAMENTAL RIGHTS

This year I signed on to co-sponsor a measure that lets the federal government know that our state always had and will continue to have the right to govern ourselves. **Senate Joint Resolution 25**, which was added as a referendum to **House Bill 1764**, will allow Missourians to retain the right to choose their own medical and insurance options. With Congress's passage of their health care "reform" bill, my colleagues and I wanted to make sure the potential effects from this federal legislation were not felt across Missouri.

The "Health Care Freedom Act," found in HB 1764, will bring the issue to the voters in the August election, allowing voters to decide if they want the federal government to force them to buy health insurance. The act would prohibit laws from interfering with freedom of choice in health care and protect our state's citizens from federal health care mandates, while at the same time allowing Missourians to choose what medical insurance options work best for them.

In addition, HB 1764 doesn't reject any federal health care option, nor take away an individual's choice to participate in the federal health care plan. The referendum will also protect small businesses from job-killing taxes at a time when our state's citizens need help the most. The Health Care Freedom Act follows the actions of 42 other states and Missouri now joins their bold stance against the federal government.



Senator Scott enjoys hunting with his family for various game in Missouri.

LOOKING BACK AT SENATOR SCOTT'S LEGISLATION (2003-2010)

HIGHLIGHTING IMPORTANT LEGISLATION IN THE MISSOURI SENATE



All of Sen. Scott's grandchildren visited him at the State Capitol this year. (Pictured left to right - Landen with Sen. Scott at the desk, Clay in Sen. Scott's office, Brennan in the chamber, and Brooke with Sen. Scott at the end of session.)

Now that my time has come to an end in the Missouri General Assembly, I'd like to take a step back and highlight some of the important legislation now in law that I filed in the Missouri Senate

Strengthening Missouri's Kidnapping Law - 2004

Following the kidnapping of one-month-old Jesse Peaster from his home in Cole Camp, prosecutors found a loophole in Missouri's law for kidnapping infants. Jesse Peaster was found in Kansas City and returned to his parents. **Senate Bill 1258/House Bill 1487** closed this loophole and strengthens Missouri's law protecting some of our most precious citizens.

Lawsuit Reform Legislation / Supporting Small Businesses and Farmers / College Savings Accounts-2005

The Legislature approved and the governor signed legislation that limits personal injury lawsuits in our state. **House Bill 393**, the tort reform bill, reduces high jury awards, restricts liability when multiple defendants are held responsible for awards, and eliminates venue shopping.

To encourage low-investment loans through local banks, the Legislature passed **Senate Bill 270**, which expands the Missouri Linked Deposit Program — a program that partners with lending institutions to provide low-interest loans designed to create and retain jobs, expand the economy, and strengthen communities throughout the state.

The General Assembly also worked to change the way Missourians save for higher education. **Senate Bill 324** (passed in 2008, SB 863) authorized a state tax deduction (up to \$4,000 per taxpayer) for contributions made to qualified educational savings programs sponsored by other states.

Missouri Voter Protection Act / Protecting Construction Workers / Expanding Services for the Elderly / Shelter Workshops - 2006

Senate Bill 1014 improved Missouri's election process by protecting voters from intimidating practices at polling places, cracking down on election fraud, reforming the voter registration process, and extending provisional balloting to all ballot issues.

Senate Bill 754 tightened the rules on highway work zones in order to protect construction workers from unsafe drivers and made it a crime to endanger a highway worker. The provision was approved as part of a bill which requires drivers to slow down and switch lanes to protect law enforcement personnel who have stopped a vehicle.

Senate Bill 1063 (passed in 2007, HB 98) expands a program statewide that encourages volunteers to transport the elderly to doctors appointments and other health-related visits.

Senate Bill 642 (passed in 2007, HB 352) gives life and hope to many disadvantaged Missouri citizens who work in sheltered workshops. The bill provided an increase in state support for sheltered workshops in order to expand the opportunities for disabled Missourians to work.

Pro-Life Legislation / Long-Term Care Insurance / Credit Unions and Banks - 2007

A bill seeking to reduce the number of abortions in Missouri and protect the life of the unborn was signed into law in 2007. **House Bill 1055** established in law the Missouri Alternatives to Abortion Program and required abortion providers to follow the facility standards of Ambulatory Surgical Centers.

10):



Scott at his

When seniors purchase long-term care insurance, the state saves money by keeping people off of Medicaid. **Senate Bill 15** (included in SB 577) authorized public-private partnership policies which protects certain assets of the insured while saving the state money.

Senate Bill 591 brought compromise between Missouri banks and credit unions over the issue of membership expansion.

Prior to passage of this legislation, the issue was litigated at a high cost to patrons of both types of financial institutions.

Advanced Practice Registered Nurses - 2008

Under **Senate Bill 724**, Missouri joins more than 45 other states to allow Schedule III, IV, and V prescription drugs to be prescribed by advanced practice nurses. Particularly in rural areas, nurse practitioners serve as the “front door” to health care and a physician may not even be in the building to serve the needs of a citizen seeking medical care. Senate Bill 724 includes safeguards and makes prescriptions more rapidly accessible in our state.

Preneed Funeral Contracts - 2009

Senate Bill 1 amends our state’s statutes regarding preneed funeral contracts. Many states regulate these contracts, which grant citizens certain rights as consumers. Pre-paying for funerals in advance, often called “pre-need,” sparked many of these state regulations. In 2009, it became apparent that regulating the sale of these contracts and agreements was more complicated than regulating the sale of other types of consumer products.

The biggest complication with preneed funeral contracts dealt with the length of time between signing the agreement and the need for the services in the contract. Passage of SB 1 into law helps ensure that funeral services purchased in advance will be available at the time of need.

PRO-LIFE LEGISLATION HITS HOME FOR SENATOR SCOTT

In 1905, a music teacher and opera singer from St. Joseph named Anna Williams found herself alone and pregnant — she did not have a husband or friends to turn to for comfort. Desperate to find a home for a newborn she loved but could not keep, Anna boarded a train for Kansas City, where she ended up at Union Station.

The *Kansas City Star* did a report, dated March 31, 1905, about a young woman at Union Station who was seeking to give away her baby girl because she couldn’t “care for it the way it should be cared for.” A young couple by the name of Viola and Vernie Boomershine were selected to adopt the baby girl. They named her Hazel Francis, and when she was three years old, the family made their way from Kansas City in a covered wagon to St. Clair County to begin their new life together.

Hazel Francis was given away but far from unloved. At the age of 16, she married her sweetheart, Robbie Orval, and throughout the years, they became the proud parents of seven healthy children and many grandchildren who went on to become ministers, teachers, nurses, businessmen, lawyers, and even a state senator. You see, Hazel Francis was my grandma, and if today’s casual attitudes about abortion had been in place more than 100 years ago, I probably would not be here today (To see Hazel’s story, please visit www.senate.mo.gov/scott and click on the video link.)

This example, as well as many other testimonials that I have heard over the years, is why I’m such a strong supporter of pro-life legislation. A bill filed this session, Senate Bill 793, expands the state’s informed consent requirements for abortion. Some of the changes include presenting a pregnant woman seeking an abortion with various new printed materials detailing the risks of an abortion and the physiological characteristics of an unborn baby at two-week gestational increments; providing the gestational age of the unborn child at the time of the abortion is to be performed; and giving the woman an opportunity to view, at least 24 hours prior to an abortion, an active ultrasound of her unborn baby and hear the heartbeat.



Senator Scott with his grandson Brennan.

SAVING TAXPAYER DOLLARS BY “REBOOTING GOVERNMENT”

The Missouri Senate took steps this year to address the state’s on-going budget crisis that is expected to last through 2013-2014. By examining our budget with a fine-toothed comb, we realize that we can no longer sustain the size and scope of government as we know it.

In order to think outside the box and consider every possible way to make government smaller and more efficient — whether through more control, alterations, or deletions — we invited Missourians to share their ideas on how to “reboot” Missouri state government through a new feature on the Missouri Senate website. I encourage citizens in our district to visit this site (www.senate.mo.gov/RebootMo) and offer your ideas. Submissions may be anonymous and every idea will be considered.

Many bills were filed this year in response to the Senate’s “Rebooting Government” initiative. Those rebooting measures making their way to the governor include:

- **House Bill 1868** - This bill would merge the State Water Patrol into the Missouri State Highway Patrol for a cost-savings up to \$1 million.
- **House Bill 1965** - By eliminating printing of state manuals and statutes, this legislation would save the state \$1.7 million in printing and postage. The measure also allows citizens to know where federal stimulus funds are going so they can see that every dollar is accounted for, stopping fraud, waste and abuse before it happens.

GETTING TAX RETURNS BACK INTO THE HANDS OF MISSOURIANS

The Legislature this year passed a measure ensuring timely tax refunds are executed in Missouri. **House Bill 1408** makes sure that Missouri taxpayers receive the money they are owed on time. Passage of this bill ensures that refunds will be delivered within 90 days from April 15 or the state must pay interest to the taxpayer. This is a change from 120 days, under the current law.

Last year, the governor withheld income tax refunds to fill our state’s budget holes and failed to inform taxpayers that their refunds would be delayed. House Bill 1498 makes our state more accountable to its taxpayers, who deserve to receive their tax returns in a timely manner and not have to wait months for the money that they are owed. Once signed by the governor, the bill will take effect Jan. 1, 2011.

GENERAL ASSEMBLY ADDRESSES VETERANS’ ISSUES

The Legislature worked on legislation this session pertaining to veterans and individuals currently serving the military. **House Bill 1524** allows the Adjutant General to establish the Missouri Youth Challenge Academy, financed through federal funds, for at-risk high school age youth.

In addition, the bill requires the Secretary of State to establish procedures for overseas uniformed service personnel to request voter registration and absentee ballot applications. The Secretary of State would also be required to develop a free access system by which these voters determine whether their absentee ballot was received by the election authority.

House Bill 1524 also requires all agencies and departments to give a three-point “bonus” preference to a service-disabled veteran business operating as a Missouri business when letting a contract for the performance of any job or service. Before, agencies and departments had to give preference to a disabled veteran business if the quality of performance was equal or better and the price quoted was the same or less.



Senator Scott and his wife Donna at the U.S.S. Missouri in Pearl Harbor, Hawaii.

LEGISLATURE PASSES MEASURES PERTAINING TO DRUGS AND ALCOHOL

Drunk Driving

The General Assembly passed legislation strengthening DWI (driving while intoxicated) laws in Missouri to crack down on repeat criminals, as well as focus on treatment for these offenders. **House Bill 1695** includes several measures that punish the most severely intoxicated drivers and enforce better tracking of prior offenses. The legislation requires state courts to handle any DWI cases involving a defendant with at least two alcohol-related contacts with authorities.

The measure also requires longer jail time for repeat offenders. More specifically, the bill moves more drunken driving cases out of municipal courts and into state courts, where the penalties are more severe. In addition, drivers with blood-alcohol levels of at least 0.15 percent are required to spend 48 hours in jail, and those with at least 0.2 percent blood-alcohol level would spend at least five days in jail, unless they complete the requirements of a DWI court or docket.

In regard to DWI courts and treatment, House Bill 1695 allows counties to create special dockets for DWI defendants, which could help authorities better match problem drunk driving offenders with the services they need.

The bill also reforms centralized reporting by requiring all municipal judges to complete courses on state drunk driving laws and direct the courts to report all DWI case dispositions to a central databank. It requires police and prosecutors to adopt policies for reporting information on DWI offenses to a central databank, as a condition of receiving grants from the Missouri Department of Public Safety.

Illegal Drugs

In order to stop the spread of a drug that mimics the effects of marijuana, the Legislature passed House Bill 1472, which makes it a crime in Missouri to smoke, buy, or sell K2 — an herbal incense that when smoked, produces an effect similar to smoking marijuana.

The legislation also makes the penalty for possessing K2 in line with marijuana possession. Passage of this bill with the governor's signature makes our state the second behind Kansas to ban the synthetic substitute.

Both bills would become effective August 28.

BILL STRENGTHENS ADULT INDUSTRY REGULATIONS

A bill was filed this session designed to protect our children and our state from disreputable businesses. **Senate Bill 586** combats the negative, secondary effects of sexually oriented businesses in Missouri by imposing meaningful time, place, and manner restrictions.

After August 28, Senate Bill 586 would:

- Prohibit anyone from establishing a sexually oriented business within 1,000 feet of a pre-existing school, house of worship, state-licensed day care, public library, residence, or other sexually oriented business.
- Prohibit these types of businesses from opening between the hours of midnight and 6 a.m.; allowing alcohol to be sold, used, or consumed on the premises; and letting anyone under the age of 18 on the premises.



Senator Scott constructing a tree house for his grandsons.



201 W Capitol Ave 416
Jefferson City MO 65101

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

SENATOR SCOTT'S COMMITTEES

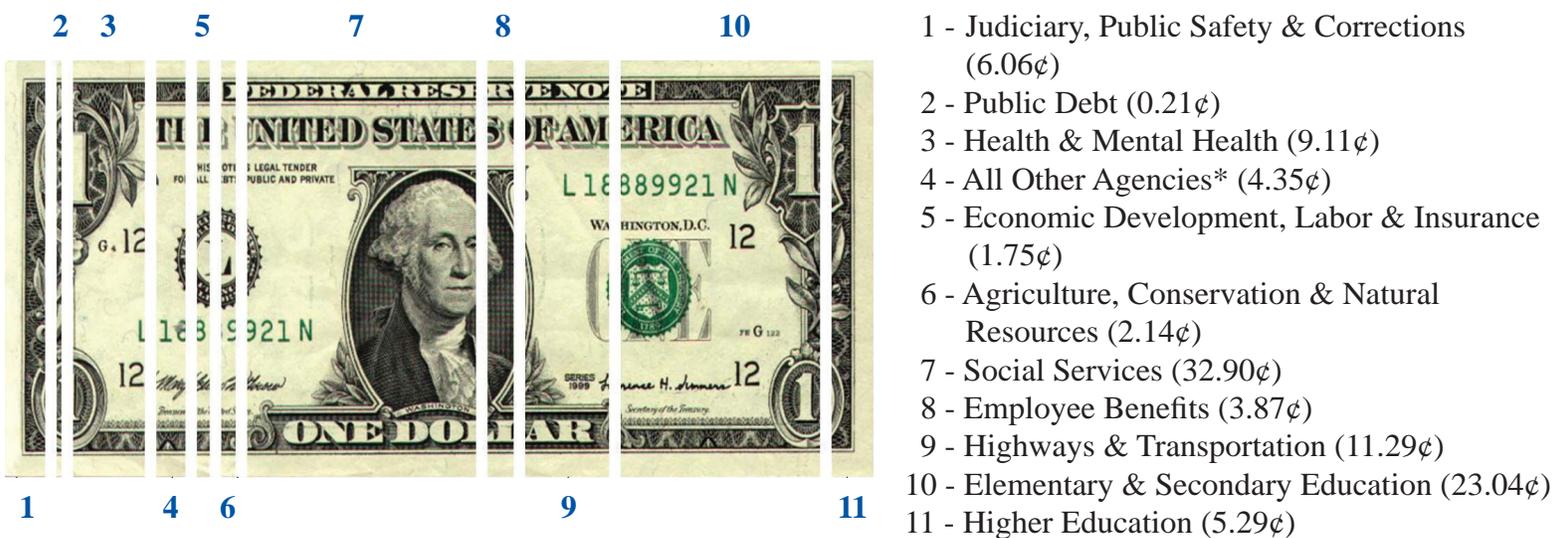
- Administration
- Financial and Governmental Organizations and Elections, Chairman
- Transportation
- General Laws
- Joint Committee on Legislative Research
- Joint Committee on Transportation Oversight
- Joint Committee on Public Employee Retirement

ADDRESSING MISSOURI'S BUDGET NEEDS DURING TOUGH ECONOMIC TIMES

A tough budget year was projected well before the 2010 legislative session began in early January. My colleagues and I worked diligently to craft a state budget that will run the critical functions of our state government without implementing a tax increase for the people of Missouri.

Even though our state is in much better condition than others in our country, Missouri still needed to buckle down and deliver a budget to the people that made the most out of every taxpayer dollar. Below you can see how one taxpayer dollar works for your state government.

DISTRIBUTION OF EACH TAX DOLLAR FY 2011 OPERATING BUDGET - ALL FUNDS: \$23.275 BILLION



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