

MISSOURI STATE SENATOR

**Doug Libla**

25<sup>TH</sup> SENATORIAL DISTRICT

2014 CAPITOL REPORT

## End of Session Report from State Senator Doug Libla



The Second Regular Session of the 97<sup>th</sup> General Assembly and the recent annual veto session have concluded, with major victories achieved on behalf of our state's citizens.

Protecting our Missouri children and their families was one of my top priorities during the 2014 legislative session. I worked diligently to see that children don't languish in our state foster care system and to help make sure that parents have every opportunity to make their families whole once again.

Also, much of my time during the legislative session was spent working to protect all who use and make their living along the Ozark National Scenic Riverways and promoting economic development and job opportunities.

Finally, I'm proud of this year's historic veto session, when we overrode the governor on 10 bills as well as 47 line-item appropriation vetoes from the state's budget. Funding was restored for vital programs such as children and senior services, defibrillators for State Water Patrol boats, services offering alternatives to abortion, and AP/Dual credit for low-income high school students.

The Missouri Senate will reconvene in January and I look forward to continuing my service to you and the whole 25<sup>th</sup> District. Until then, I will be traveling the district, meeting folks and learning more about issues that matter to you. Please follow me on social media and my Senate website for the latest news.

Warm Regards,

(573) 751-4843

[www.senate.mo.gov/libla](http://www.senate.mo.gov/libla)

201 W. Capitol Ave, Rm 226  
Jefferson City, MO 65101



**Proudly serving the citizens of Butler, Carter, Dunklin, Mississippi,  
New Madrid, Pemiscot, Shannon and Stoddard counties.**

## Visiting Your State Capitol

This is YOUR State Capitol and as a legislator working in YOUR building here in Jefferson City, I'm honored to meet with citizens who stop by our office.

My staff and I welcome all who visit our beautiful State Capitol and all that it offers those who enter its doors. From the priceless pieces of art found throughout the Capitol to the numerous exhibits located in the first floor museum, there's so much to see and learn here in Jefferson City.

Thank you very much for your letters, phone calls, and e-mails of support. I appreciate your interest in the legislative process. If there is a bill that you are passionate about, the best way to make a difference is by visiting your State Capitol and testifying at the committee hearing. We enjoy hearing from you; it makes a big difference!



**Legislative Staff (left to right, from top):  
Senator Libla; Kyle Aubuchon, Chief of Staff;  
Bonnie Linhardt, Legislative Assistant; and  
Billy Pat Wright, Field Representative.**

## Senator Libla's Bill Speeds Up Adoption Process for Children in the Foster Care System

By an overwhelming vote in both the Senate and the House, Senate Bill 530, which I introduced early this year, will provide incentives to parents whose children have been removed from their home because of a parent's drug, alcohol, or prescription drug abuse.

My goal in filing this legislation was to encourage addicted parents to get the help they need in a timely fashion to provide a safe, nurturing home for their children, or — depending on their commitment to the family unit — to keep their children from languishing in the foster care system. This bill will help shorten the agonizing wait endured by foster and prospective adoptive homes as an addicted parent addresses his or her particular problem. It is designed to make it faster and easier to either reunite children with their parents or to get the children out of foster care and into loving, attentive adoptive homes.

We have more than 12,000 children in foster care, with an annual state expense of more than \$52 million. That's an increase of more than 40 percent in just the last 36 months. In addition, counties pay most of the expense of legal representation and court costs in these cases.

Children removed from their homes



**The Million family (left) and the Ward family (right) join Sen. Libla in the Pershing Gallery. Both families traveled to Jefferson City in support of Senate Bill 530.**

because of parental drug or alcohol abuse previously had to wait an average 15 months before a Petition to Terminate Parental Rights (TPR) was ordered by the court. Federal and state laws are intended to secure the permanent placement of a child as quickly as possible through adoption or guardianship.

Senate Bill 530 streamlines the process of TPR for those parents who choose not to seek help by adding to the behavior patterns that caused them to be deemed unfit. The bill empowers the courts to take into clearer consideration a parent's efforts at rehabilitation, allowing the judge to

presume a parent is unfit if he or she does not put forth an immediate effort to rehabilitate.

History shows that one year after a child is placed in state custody as a result of parental addiction, only a very small percent of parents ordered into a treatment program ever enroll. Nationally, as many as 75 percent of children removed from their homes because of parental substance abuse were eventually returned to state custody after going back to their parents.

With this type of endless cycle, children lose hope while in the foster care system. They watch helplessly as their chance of being adopted by a loving family passes them by year after year.

Senate Bill 530, which was signed by the governor, took effect Aug. 28. It will provide a quicker resolution to a growing problem in today's society while reducing time and money spent. It should strengthen the ability of social workers to conduct their investigations, decreasing their caseload burdens and allowing them to help others in need. The hopes and dreams of children waiting for adoption also will be enhanced. After all, children have rights too.

## Funding Improvements to College Campuses

The Senate passed, and the governor signed, legislation that raises the dollar cap on the amount of revenue bonds that may be issued by the state. It also limits the use of those funds to renovating existing state and public higher education buildings. The legislation may be of help to Three Rivers College.

Senate Bill 723 puts in place a process for addressing deferred maintenance of buildings. We have a civic obligation as a state to help take care of buildings on our college campuses. This is an issue that has been pushed down the line for years. We must stay focused on the safety of students and employees who work in these buildings and be vigilant in protecting some of our state's largest investments.



**Three Rivers College President's Leadership Academy**



## Protecting Citizens' Access to the Ozark National Scenic Riverways



The new General Management Plan (GMP) of the Ozark National Scenic Riverways (ONSR) is in the process of being revised. These rules will negatively impact our citizens' access, enjoyment and use of these rivers and parks. The proposed draft management plans by the National Park Service (NPS) would affect thousands of in-state and out-of-state citizens who use these riverways and the areas around them to hike, camp, boat, hunt, fish, and ride horses.

Senate Concurrent Resolution 22, which I co-sponsored this year, was adopted by the General Assembly. It urges the U.S. Department of Interior National Park Service (NPS) to take one of three options regarding the ONSR: 1) choose the "no-action alternative" option of the GMP; 2) enter into negotiations with the Missouri Department of Conservation for the return of the ONSR to our state; or, 3) enter into a contract with the department for the management, operation and maintenance of the ONSR.

The NPS proposes a "preferred alternative" plan that would shut down many public access points to riverways, eliminate motorized boat traffic from certain areas, further restrict boat motor horsepower in other areas, close several gravel bars and propose additional areas for designation as federal wilderness.

Tourists bring irreplaceable dollars to our area and the ONSR is one of the most popular destinations. These riverways are already over-managed by burdensome federal regulations. We need to be promoting these beautiful and wonderful resources, not restricting access to them. It's time we put control back into the hands of our state and the people who know this area best. We know best how to protect our resources while ensuring that visitors keep coming back to enjoy our riverways and business owners continue to provide services to our state's tourism industry.



**Senator Libla has received the Distinguished Legislator Award by the Missouri Community Association in 2013 and 2014.**

## Bill Allows Landlords to Recover Damages Caused by Tenants

Legislation I sponsored this year is included in a bill designed to give better protection to landlords. Senate Bill 655, signed by the governor, removes the "claim of right" defense for tenants who willfully cause damage to rental property. The act includes wording from my Senate Bill 911.

This legislation addresses the serious problem regarding landlords who have a difficult time recovering losses from tenants who deliberately damage rental property. The only way for a landlord to recover money for damaged property is to bring a civil suit against the tenant (providing the lease has a clause stating the tenants are responsible for any damage beyond normal "wear and tear.") However, the problem is more complex.

Law enforcement personnel are many times reluctant to investigate and write reports on property crimes committed by tenants under the belief that tenants will avoid conviction under the "claim of right" defense.

Senate Bill 655 stipulates that this defense does not apply to tenants who willfully damage property. It provides clarity for police who investigate tenants for such property crimes against landlords. While leading this bill through the legislative process, I shared with other lawmakers descriptions of the difficulties faced by landlords with tenants who caused thousands of dollars in damage. This kind of damage increases the rent for many other families, creating a ripple effect that often impacts those who can least afford it. The more money it takes to repair damage, the more money a landlord must charge succeeding tenants to recoup his or her costs.

Senate Bill 655 also includes provisions that removes the option for a "trial de novo" — a retrial in a district court conducted as if no trial had occurred in the lower court — in landlord-tenant actions. It updates the definition of "lessee" by restricting it to only individuals who have leased the premises and who are obligated to pay rent. It also gives tenants 24 hours to vacate the premises following a court-ordered immediate eviction.

The legislation took effect Aug. 28.

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## How Your Tax Dollars Are Spent

All Funds: \$26.379 Billion



1 2 3 4 5 6 7 8 9 10 11

1. Judiciary, Public Safety & Corrections - 6.35¢
2. Public Debt - 0.26¢
3. Health & Mental Health - 11.45¢
4. \*All Other Agencies - 4.86¢
5. Economic Development, Labor & Insurance - 2.28¢
6. Agriculture, Conservation & Natural Resources - 2.86¢
7. Social Services - 33.02¢
8. Employee Benefits - 3.56¢
9. Highways & Transportation - 8.24¢
10. Elementary and Secondary Education - 22.23¢
11. Higher Education - 4.89¢

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

## Investing in Education

The 13 bills that make up our state's Fiscal Year 2015 budget were approved one day before the constitutional deadline. Highlights of the FY 2015 budget include a \$114.8 million increase in general revenue for K-12 schools; a 5 percent total increase in general revenue for performance-based funding for state colleges and universities; and a 25-year bonding proposal to fund construction of the new Fulton State Hospital.

I'm particularly proud of the work to increase funding for our state's elementary, secondary and higher education institutions. The foundation formula received a \$278 million increase in funding, helping school districts all across the state. The budget also includes nearly \$30 million additional general revenue funds for various scholarships.

We also budgeted an additional \$6 million for community colleges, which unfortunately was vetoed by the governor. While education funding has been increased, the disparity between community colleges and four-year institutions has grown. Community colleges serve 35 percent of the full-time equivalent students enrolled in credit programs at our state's public higher education institutions. If you include non-credit certificate and training programs, that increases to 50 percent. Despite this, community colleges only get 15 percent of the money appropriated to our state's colleges and universities.