

State Senator John Griesheimer

District 26



Dear Friends,

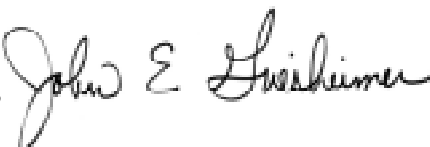
Thank you for the great opportunity you have given me to be your new state senator. With a district population of approximately 169,000, the 26th Senatorial District is by far one of the most unique and fastest-growing senatorial districts in Missouri. The residents of Franklin, Warren and West St. Louis counties share many common interests and values, and I am very fortunate to represent such great people in the Missouri Senate.

Although I had previously served the past 10 years in the Missouri House of Representatives, the Missouri Senate presented me with a host of new challenges as the rules, procedures and decorum are vastly different. My goal this year was to make my presence known in the Senate and I am very proud to say that I accomplished my goal.

This year was also a historic year for the Missouri General Assembly with Republicans in control of both legislative chambers for the first time in over 50 years. This new leadership gave the Legislature a unique opportunity to pass many new reform measures that will create new jobs and retain many existing jobs in Missouri; cut excessive government waste; and protect our most vulnerable citizens. Due to our state's budget crisis, this was also the most demanding and difficult session for me. It included a month-long special session in June to address funding for education and social services as well as another special session in September.

Throughout the regular and both special sessions, Gov. Holden tried to force the Legislature to raise your taxes. Due to the overwhelming response of Missouri's taxpayers, the General Assembly held firm and did not bend to the governor's pressure. Last year when I campaigned for state senator, I ran for election on the promise that I would not and could not vote to raise your taxes and I will try to continue to stand by that. Somewhere in the future, there may be another proposal to increase your taxes for transportation or another issue that I may ask you, the voters, to support. But that is in the future.

I hope that you find this end-of-session report to be an informative look at the actions taken by the General Assembly. If you have any questions, comments or concerns about what was highlighted here, or any other legislative issues, please do not hesitate to contact me.

Sincerely, 



In This Issue: _____

- Historic Veto Overrides
- Vehicle Emissions Testing
- Terrorism Legislation
- Nursing Home Reform

2003 Legislation Summary

Passed

Nursing Homes – Would stiffen penalties for substandard homes and reduce inspections for good ones. SB 556

Bonds – Would authorize \$400 million in revenue bonds to fill in this year's and next year's budgets. HB 401

Guns – Would allow sheriff to issue permits to eligible people to carry concealed weapons. HB 349 (**Vetoed by Governor, Veto was Overridden**)

Sales Tax Holiday – Would exempt sales of clothing, computers and school supplies from taxes during three days beginning August 2004. SB 11

Taxes – Would end some tax breaks, give delinquent taxpayers amnesty and improve tax collections to generate \$75 million to \$100 million. HB 600

Teacher Retirement – Would let Public School Retirement System charge teachers and school districts more to keep fund solvent. HB 346

Prescription Drugs – Would keep generic drugs in the state's SenioRx program by requiring lower rebates. SB 307

Gun Lawsuits – Would bar lawsuits by cities in Missouri against gunmakers. SB 13 (**Vetoed by Governor, Veto Overridden**)

MoDOT – Would create an inspector general's post outside the department who would investigate complaints. HB 668

Tort Reform – Would restore caps on noneconomic damages, limit where lawsuits can be filed. SB 28 (**Vetoed by Governor**)

Foster Care – Would open court proceedings, speed up hearings and penalize negligent foster care workers. HB 679 (**Vetoed by Governor**)

SPAM – Would require unsolicited commercial e-mail to include "adv" in subject line. HB 228

Unemployment – would allow bonds to be issued to pay unemployment benefits and tighten eligibility requirements. SB 2 (**Vetoed by Governor**)

Boating Safety – Would require people younger than 21 to pass a boat safety course beginning in 2005 before they could legally drive a boat on Missouri lakes. SB 1



Failed

Workers' Comp – Would have required that work be the dominant factor of injury to be eligible for workers' compensation benefits. HB 321

Abortion Lawsuits – Would have allowed parents to sue someone who takes their daughter across state lines to get an abortion without parental consent. SB 34

Education Funds – Would have gradually put gaming revenue into the Classroom Trust Fund for distribution on per pupil basis. HB 288

Crime – Would have allowed police to detain a suspect for 30 hours without charging the person with a crime. Would have encouraged sentencing alternatives for non-violent offenders. HB 198

Property Taxes – Would have limited growth in assessed valuation to 5 percent over two years for homeowners 65 and older. HB 517

Telecommunications – Would have deregulated high-speed Internet service. HB 142

Campaign Finance – Would have let Ethics Commission require electronic filing by legislative candidates by 2005. HB 412

Environment – Would have made it harder for the Department of Natural Resources to issue rules. HB 412

High School Sports – Would have set rules for high school sports and extracurricular activities. HB 631

Presidential Primary – Would have eliminated state's presidential primary. HB 387, SB 531

Contact Senator Griesheimer:

I feel that a legislator should be available to the citizens in his or her district. I am always here to answer questions or provide answers to citizens interested in the legislative process, or who have issues or ideas on how we can make Missouri a better place to live. Feel free to contact me or my staff if we can be of service in any way.

Capitol Office: (573) 751-3678

Toll-Free: (800) 247-6102

Home: (636) 239-2521

Cell Phone: (314) 650-5777

New Law Offers Teachers Incentives to Remain in Classroom

It's important that good teachers remain in the classroom, and this session I was able to pass legislation that provides teachers with incentives to continue teaching.

Previously, the State Board of Education offered three professional levels of teaching certificates. Senate Bill 296 replaces the three-tier system with a two-tier system comprising an initial four-year professional certificate and a career continuous professional certificate.

Under SB 296, teachers seeking the first level of professional certification will need to:

- Participate in a mentoring program approved and provided by the district for a minimum of two years.
- Complete 30 contact hours of professional development including classroom hours in an appropriate college curriculum.
- Participate in a beginning teacher assistance program.

All of these requirements will help new teachers become better teachers, and that's exactly what we want.

To achieve the second-tier certificate, teachers must:

- Remain a teacher, based upon verification of actual employment in an educational position.
- Be valid, provided the possessor annually and successfully completes 15 contact hours of professional development. However, the professional development requirements will be waived for any individual who has a professional development plan in place with their local school district and who meets two of the following criteria: 10 years of teaching experience; a master's degree; rigorous national certification as approved by the state board of education. With this new certification, teachers have a lot more options.

Rep. Mike Sutherland handled the passage of this bill in the House of Representatives.



Tourism Tax to Appear on Area Ballots

The City of Warrenton and Shannon County will be asking residents to support an additional tax on guests at area hotels and motels. Rep. Mike Sutherland handled this bill in the House of Representatives.

I sponsored Senate Bill 228, which will allow Warrenton to place on the ballot a tax issue to place a room tax of between 2 and 5 percent per night on rooms in hotels and motels.

Committee's Goal is to Protect State from Terrorism

Since terrorist attacks of 9/11, we have placed a new emphasis on keeping our homeland safe. I was named the first chairman of the newly formed Joint Committee on Terrorism, Bioterrorism and Homeland Security.

Created under Senate Bill 712 during the 2002 Legislative Session, the Joint Committee on Terrorism, Bioterrorism and Homeland Security is made up of seven members of the Senate and seven members of the House of Representatives.

Committee responsibilities include:

- Making a continuing study and analysis of all state government terrorism, bioterrorism and homeland security.

- Devising a reporting system for government agencies that will provide information on each agency's security plans.



- Determining from its study and analysis the need for changes in statutory law.

- Making recommendations to the General Assembly to provide adequate security for the state.

The committee coordinates the efforts of all of the state's emergency services. Properly protecting our state is going to be a big job and it needs to be as centralized as possible.

In September, committee members toured the State Emergency Management Agency in Jefferson City and had the chance to see first-

hand the preparations that have been made to keep Missouri safe.

SEMA, The University of Missouri – Fire and Rescue Training Institute and the United States Department of Justice's Office of Domestic Preparedness offer terrorism training ranging from Basic Concepts (Introduction) to Advanced Hazardous Materials Technician courses to special courses.

In addition, SEMA provides public officials briefings, and specialized response planning and training exercises.

SEMA also funds and hosts specialized courses for state and local executives and agencies; and in conjunction with the Department of Justice and the FBI on an invitation only basis.



In September, I joined other members of the Joint Committee on Terrorism, Bioterrorism and Homeland Security for a special tour of the State Emergency Management Agency's headquarters in Jefferson City.

Three Vetoes Overridden in Historic Veto Session

Gov. Bob Holden refused to work with the Missouri Legislature throughout the 2003 Legislative Session, and then he continued to be uncooperative when he vetoed a total of 30 bills. The General Assembly returned to Jefferson City in September for an historic Veto Session/Special Session, with lawmakers overriding an unprecedented three gubernatorial vetoes.

Gov. Holden now becomes the first governor in our state's history to have three vetoes overridden. Previously, lawmakers had only succeeded in overriding a total of seven vetoes.

In a 23-10 vote, the Legislature voted in favor of a concealed weapons bill, which will allow Missourians with a permit to carry a concealed weapon.

To qualify for permits, applicants must be least 23-years-old, successfully complete a training course and pass a detailed criminal background check. Anyone with a felony conviction, violent misdemeanor conviction or who was subject to a protection order would not qualify. The measure also addresses the issue of applicants with a history of mental illness.

Conceal and carry is an issue that the majority of people in the 26th have long supported, and I joined with the majority to override the governor's veto.

With a vote of 25-8 lawmakers struck down the governor's veto of a bill requiring a 24-hour waiting period for all abortions.

As most of you undoubtedly know, I am a strong pro-life supporter and I back any bill that might limit abortions. The decision to have an abortion is the most serious a woman can make. With another 24 hours to consider the decision, we might see the number of abortions drop dramatically.

In a 23-10 vote, lawmakers overrode the governor's veto of a bill that would restrict the abil-

ity of governments to sue gun manufacturers.

This legislation would prohibit cities, counties and the state from suing gun manufacturers.

Despite these successes, we were unable to get enough votes to override the vetoes of a key economic development bill.

Legislation that would have reformed Missouri's tort laws received a 21-12 vote. I served as co-sponsor of this measure, which would have placed a cap on the "pain and suffering" award in injury lawsuits and made a variety of other changes aimed at reducing medical malpractice premiums.

In addition, it would have limited what is commonly known as "venue shopping," where lawyers seek to move a

suit to a district where juries give higher awards. This often results in insurance companies raising malpractice insurance rates. Across the country, thousands of doctors have been forced to leave their profession because they simply cannot afford these rising costs.

The General Assembly also rejected the governor's request to close some corporate loopholes. However, the Joint Committee on Tax Policy, of which I am a member, will continue to look at the effects that closing these loopholes would have on the businesses and the state economy.

Five different bills were introduced in the Senate, but the Ways and Means Committee rejected all of these measures and therefore they were never considered on the floor.

This was the second time lawmakers rejected the governor's attempts to raise business taxes. I hope he finally gets the message.

It is not going to help Missouri's educational system to hurt Missouri's businesses.



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Lawmakers Approve SB 298 to Make a Variety of Changes to Improve Liquor Laws in Missouri

A variety of changes were made to liquor license requirements, operational restrictions and enforcement provisions.

Under this bill, the name of the Division of Liquor Control has been changed to the Division of Alcohol and Tobacco Control.

This name change was needed to reflect the added duties and responsibilities given to the division as the result of previous legislation passed regulating the sale of tobacco products as well as new provisions regulating the sale of alcohol in Senate Bill 298.

Liquor retailers must attach a label to each keg of beer that is sold. Among the information contained on these tags must be the name, address and date of birth of the purchaser, as well as the form of identification presented by the purchaser.

The section of SB 298 that has received the most attention by the media is a provision that will bar anyone under 19 from working as an exotic dancer. The old law did not specify a minimum age for exotic dancers.

In addition, this bill removes the requirement that written consent be obtained before a license to sell liquor within 100 feet of a school or church will be granted, but allows the local municipality to deny a license for the sale of liquor within 300 feet of a school or a church. This reinstates a law that the courts had ruled unconstitutional in 1991. Liquor retailers licensed before Jan. 1, 2004, are not affected by this law.

Rep. Bob Johnson handled this bill in the House of Representatives.



House Bills Sponsored and Handled by Sen. Griesheimer in the Senate

The following is a list of House bills that I sponsored in the Senate and the Representatives who originally introduced them in the House:

- HB 60 – Changes the time period in which a taxpayer may claim a refund of taxes mistakenly or erroneously paid – Rep. Mike Sutherland
- HB 131 – Modifies certain provisions in the Local Government Employees' Retirement System – Rep. Bill Deeken
- HB 267 – Allows first, second and fourth class counties to adopt ordinances relating to the administration of county government – Rep. Todd Smith
- HB 348 – Makes revisions to the Local Government Employees' Retirement System – Rep. Tom Dempsey
- HB 392 – Makes revisions to the Motorcycle Dealer Franchise Act – Rep. Jim Avery
- HB 574 – Authorizes the conveyance of state property between the Department of Corrections and the City of Pacific – Rep. Jack Jackson

Reform Measure Makes Nursing Homes Safer in Missouri

One of the most important pieces of legislation passed this year was the Senior Care and Protection Act, a comprehensive nursing home reform package designed to improve the safety and protections of Missouri citizens residing in long-term care facilities.

Passage of Senate Bill 556 was a bipartisan effort to protect the elderly citizens of our state.

The measure increases penalties for all violations of nursing home care standards – the first penalty increase in more than 20 years. For the most serious violations, nursing homes could face penalties of as much as \$10,000 per day. Further, any administrator who fails to report abuse or neglect that could result in serious injury to a patient can be charged with a Class D felony.

Regional ombudsman coordinators and ombudsman volunteers now have the authority to report abuse and neglect to the hotline operated by the department. If the nursing home administrator is unwilling to work with the ombudsman program to resolve complaints, the regional ombudsman may report uncooperative nursing home administrators to the state ombudsman.

To ensure compliance and disclosure of possible viola-

tions, the bill expands protections for workers who report substandard conditions or cases of abuse or neglect. The state can now consider the records of providers in other states in considering licensure in Missouri, and requires background checks for nursing home workers.

I was able to amend language onto this bill that restricts and controls the state's choice of vendors when a nursing home is



placed in receivership.

Over the past several years a number of homes, including some in our district, have been placed under new ownership with connections to the good ol' boy network and the executive branch of state government.

My language creates a revolving vendor list allowing all qualified firms the opportunity to restore these needed nursing homes to credibility in our communities.

This new law is a major step forward in assuring the best possible care for our state's most vulnerable citizens.

Rules on Automotive Emissions Testing Changed for Franklin County

Bill by Sen. Griesheimer Corrects Flaw in State Law

Affecting Emissions Tests Required of Local Motorists

Franklin County residents can now receive a two-year car emissions test instead of an annual requirement, which was the previous standard. This change comes as a result of passage of Senate Bill 54, which I sponsored and passed in the Senate, and Rep. Brian Nieves handled in the House of Representatives.

Since Missouri began offering the option of registering motor vehicles on a biennial basis, Franklin County car owners still had to return every year with the results of their BAR-97 vehicle emissions test.

Under the new law, to determine if an emissions

inspection is required for the renewal, the Department of Revenue will use the same formula used for a two-year motor vehicle registration or safety inspection – odd model year/odd calendar year or even model year/even calendar year.

However, since this new law – like most legislation passed this session – did not become effective until Aug. 28, any Franklin County resident seeking to renew their vehicle tags before that date had to provide an emissions inspection regardless of the odd/odd, even/even issue.

The maximum testing fee for the emissions test is increased from \$10.50 every year to \$24.00 every 2 years.

Gubernatorial Appointments *Area Residents Serve on State Boards and Commissions*

I successfully sponsored a number of gubernatorial appointments this session. Pictured at left is Donald M. Schneider, of Wildwood, who was appointed to the Northwest Missouri State Board of Regents. Jay L. Schulteheinrich, St. Clair, who was appointed to the State Board of Medication appears at right.

The governor makes appointments to state boards and commissions with the advice and consent of the Senate.



The Senate Committee on Gubernatorial Appointments usually meets weekly during the legislative session. Their sponsoring senator presents each appointee to the committee.

Once the committee has approved appointments, the chairman reports on the committee's action to the floor for consideration by the full Senate.



Appointees must be approved by the committee and confirmed by the full Senate before taking the position on the board or the committee.

State Workers Given More Time To Volunteer During Times of Disaster

The world has changed since 9/11 and state government needs to change with it.

That's why I sponsored Senate Bill 426, which allows a state worker, who is certified as a disaster service volunteer, to be granted leave with pay. Rep. Kevin Threlkeld handled the bill in the House of Representatives.

This new law will allow a state employee to be granted leave for up to 120-work hours rather than

the 15 calendar days, which was previously allowed.

Following the terrorist attacks on World Trade Center and the Pentagon, rescue workers were onsite for days looking for survivors and many months were needed to search for remains of those killed in the disaster.

As a state we need to provide our trained employees with the necessary time needed to assist in any disaster that may arise.

When You Need Help or to Contact Senator Griesheimer:

Constituent services is one of the most important responsibilities of a state lawmaker. If we may be of service in any matter involving the state of Missouri, or the services Missouri provides for citizens, please don't hesitate to call, fax or write.

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