INSIDE:

Food Recovery Bill: SB 175

SB 2: Missouri Unemployment Compensation Trust Fund

Can We Keep The Ford Plant In Hazelwood?

...and More
From the Desk of...

Senator John Loudon

Dear Friends,

At the close of the 2003 Legislative Session, I want to take this opportunity to share with you some of the highlights and give you updates on some of the legislation that was passed. Due to our state’s budget crisis, this was a difficult and demanding session.

Despite the fiscal crisis, this was an exciting time in Jefferson City with 90 new members of the House of Representatives, and 12 new members of the Missouri Senate. Many new ideas were considered and we succeeded in passing a number of reform measures that will make real changes in the manner in which Missouri government operates. For the first time in more than 50 years, Republicans held the majority in both the Senate and the House of Representatives. As a result, several important reform measures were passed by the Legislature and I believe we’ll see even more in the coming year.

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

Sincerely,

Needy families in Missouri will benefit from legislation I sponsored which will create a food recovery program within the Department of Health and Senior Services that will make it easier for restaurants throughout the state to provide food to charitable organizations.

This program will be a great help to countless Missouri residents. The idea for this legislation was brought to me by a group of high school students, and I am honored to have played a role in getting this important bill passed.

Students in Bob Yeates’ Service Learning class at The Principia School in Town and Country, approached me about sponsoring a bill to feed the homeless and the result was SB 175.

The intent of this bill is to make surplus food from restaurants available to charitable and not-for-profit organizations or volunteers for distribution to the homeless or those in need of food.

The Department of Health and Senior Services will annually develop a public information brochure regarding food recovery.

This legislation has protection for donors, thereby encouraging more and better donations statewide.

Under SB 175, any good faith donor who contributes food that appears to be fit for human consumption, cannot be subject to criminal or civil damages arising from the condition of the food.

The Principia students assisted me throughout the legislative process, including testifying on behalf of the bill in both chambers, writing letters of support and meeting with lawmakers.

Contact Senator Loudon:
My staff and I are always ready to answer any questions you may have concerning Missouri Legislature. Feel free to call my office at (573) 751-9763 if we can be of service!
Sen. Loudon passes legislation to keep Ford plant in Hazelwood

All of us who live in St. Louis realize the importance of keeping the Hazelwood Ford Plant in Hazelwood. I was honored to handle legislation that will offer a variety of incentives to the Ford Motor Company to keep its assembly plant in Hazelwood open.

Senate Bill 620 amends current law related to the BUILD Program incentives, the Enterprise Zone Program and the Community College New Jobs Training Program.

Ford can only take advantage of these incentives if they agree to reinvest $500 million over a five-year period and commit to keeping the jobs in Missouri for a period of time.

More than 2,500 people work at the Hazelwood Ford Plant, and businesses in 29 counties in the state provide products for Ford. The Missouri Department of Economic Development estimates that approximately 10,000 jobs would be lost – both directly and indirectly – as a result of the shutdown of the Ford plant. That would result in the loss of more than $500 million in wages.

The Hazelwood Ford Plant opened in 1948, and currently assembles the Ford Explorer and other vehicles. In January 2002, the Ford Motor Company announced a restructuring plan that would close five plants throughout the country, including the one located in Hazelwood, by mid-decade. In March of that year, Gov. Bob Holden appointed a 22-member task force made up of community leaders, politicians and business people to develop a plan to encourage Ford to keep the Hazelwood plant open. Many of the recommendations of this task force were included in SB 620.

Even with these changes, no one is guaranteeing that Ford will stay. However, this bill provides some important tools for negotiators to work with.

Senator makes it easier for families to adopt children

Thousands of children are in state custody and are in desperate need of a good home. Adopting a child is enormously expensive and I believe it is the state’s responsibility to assist adoptive parents in any way possible, and that’s why this session I sponsored legislation that eliminates the aggregate cap on the adoption tax credit.

Under this new law, anyone who legally adopted a special needs child on or after Jan. 1, 1988 is now eligible to receive a tax credit of up to $10,000 for nonrecurring adoption expenses.

In addition, any business that provides the funds to an employee to enable that employee to adopt a special needs child is eligible for a tax credit of up to $10,000.

Adoption is one of the most important and compassionate things we can do for children and for families. These adoption tax credits will not only help families who are thinking of adopting unwanted children, but they also help families who have already adopted children. Adoption can be a very costly process, and families need help in their efforts to give unwanted children a happy, loving home.

During the 2002 legislative session, an area family contacted me about the expense of adopting a child in this state.

They weren’t concerned about the expense of the actual adoption process. That was to be expected and they were more than happy to pay for those expenses. What disturbed them was the amount the state charged to process adoption documents.

State law mandated a fee of $10 per document. As you can imagine, the terms of adoption can be dozens of pages long and often it is necessary to obtain numerous copies. That can add up to hundreds – even thousands – of more dollars for adoptive parents.

I was able to pass legislation that limits the state’s allowable fee for processing adoption documents to $100 per child per adoption or per multiple children adopted at the same time.

Adopting a child is an expensive endeavor and the state should not add needlessly to that cost.
Working Hard for Missouri’s Workers

As chairman of the Senate Small Business, Insurance and Industrial Relations, I have had the opportunity to work with union leaders and the business community to advance legislation that will benefit the workers of Missouri. This session I had the privilege of joining the late Sen. Ronnie DePasco, D-Kansas City, in co-sponsoring legislation that provide crucial funding for the construction of a Workers’ Memorial on the grounds of the State Capitol.

During the 2000 legislative session, the General Assembly approved a bill that would establish a workers memorial on the Capitol grounds, but no funding was provided. The bill passed this session will allow taxpayers to check off a special box on their state income tax forms allowing for $1 to go to the workers memorial fund. Taxpayers can also send a check designated to the fund with their tax return.

No state funds will be used for this memorial. The people of Missouri will pay for this memorial, which will be located on the riverside of the Capitol and will honor all workers who have been killed or injured on the job. It is estimated that more than 4,500 Missouri workers have been killed on the job since 1970.

IEC honors Loudon as a ‘Hometown Hero’

This session, the Independent Electrical Contractors, Inc. (IEC) presented me with their “Home Town Hero” Award in acknowledgement of my work as a legislator. This organization is concerned about the same issues that I have championed for many years, including the high cost of worker's compensation, tort reform, and making certain that workers – union and nonunion – are allowed to work on public projects.

I consider it an honor to receive an award from such a fine organization.
The General Assembly approved legislation that I sponsored that will keep Missouri's Unemployment Compensation Trust Fund solvent and will save employers millions of dollars.

Among the provisions of Senate Bill 2, the state will have an alternative to borrowing from the federal government to cover shortfalls in the unemployment insurance fund.

Federal law requires this coverage, which is financed by employer-paid premiums. If state reserves become depleted, the federal government lends revenue to the state, which is repaid by a 30 percent surcharge on employer premiums. The bonding provision gives us an alternative.

The federal government charges approximately 6 percent interest on these loans. The rate on the bonds is estimated at between 2.5 and 3.5 percent. By using the bonding approach interest costs would drop by half, sparing consumers and businesses the additional expense the employer surcharge would entail.

The state has already borrowed $10 million and is expected to need $100 million by year-end. The state debt could grow to $300 million if the legislature fails to act.

The major function of this bill is that employers are stepping up to the plate with $100 million per year of new funding. In exchange, the bill reduces some of our more liberal payouts. A worker fired for misconduct would have to get another job in order to be eligible for benefits in the future. This brings us in line with 40 other states. Our current system provides for a minimal penalty and then these problem employees are entitled to benefits.

This reform measure is expected to save the system $50 to $100 million annually.

This legislation has the backing of a number of Missouri's business organizations, including Associated Industries of Missouri and the National Federation of Independent Businesses.

Other provisions contained in this bill:
- Requires on a monthly basis the Division of Employment Security cross check Missouri unemployment compensation recipients against available federal and state databases containing wage information.
- Changes existing law making the waiting week prior to receiving unemployment benefits never compensable. Under current law the waiting week is compensable after the ninth compensable week.
- State departments, divisions and agencies that fall under the purview of the Wagner-Peyser Act will have the power to contract with private entities for the purpose of providing employment and reemployment services.
Status of Noteworthy Missouri Legislation - 2003

Passed

Tort Reform – Would restore caps on noneconomic damages, limit where lawsuits can be filed. SB 28
MoDOT – Would create an inspector general’s post outside the department who would investigate complaints.
Abortion – Would require women seeking abortions to wait 24 hours. HB 156
Nursing Homes – Would stiffen penalties for substandard homes and reduce inspections for good ones. SB 556
Prescription Drugs – Would keep generic drugs in the state’s SenioRx program by requiring lower rebates. SB 307
Guns – Would allow sheriff to issue permits to eligible people to carry concealed weapons. HB 349
Sales Tax Holiday – Would exempt sales of clothing, computers and school supplies from taxes during three days beginning August 2004. SB 11
Teacher Retirement – Would let Public School Retirement System charge teachers and school districts more to keep fund solvent. HB 346
Meth – Would limit sale of cold pills used in making methamphetamine, restrict where the medicine is stocked. HB 470
Gun Lawsuits – Would bar lawsuits by cities in Missouri against gunmakers. SB 13
Foster Care – Would open court proceedings, speed up hearings and penalize negligent foster care workers. HB 679
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
Taxes – Would end some tax breaks, give delinquent taxpayers amnesty and improve tax collections to generate $75 million to $100 million. HB 600

Failed

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 nonviolent 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

Governor’s Veto List

* HB 2 – Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education and the several divisions.
* HB 3 – Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education.
* HB 10 – Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, etc.
* HB 11 – Appropriates money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs. Continued on Page 7
Senator Loudon Legislation - 2003

Senate Bills Passed by Sen. Loudon

SB 2 – Refines various provisions of employment security.

SB 175 – Creates a food recovery program to provide food to needy persons.

SB 189 – Allows Indian tribes to be employers – passed with SB 194.

SB 620 – Modifies the BUILD program and implements certain job retention provisions. Passed alone and on HB 289.

SB 621 – Allows certain cities to abate certain types of public nuisances and charge the cost of removal against owner.

House Bills Handled by Sen. Loudon

HB 445 – Includes Christian Science practitioners in the definition of “minister” for purposes of mandatory child abuse reporting by ministers, and removes them from the general reporting requirements.

Sen. Loudon’s Bills Amended Onto Other Legislation

SB 113 amended to HB 327 – Makes it illegal to install fake airbags in automobiles

SB 134 amended to HB 598 – Allows surviving spouses/other relatives of a peace officer killed in line of duty to receive special license plates.

SB 452 amended to HB 121 – Amends the requirements for certain health entities relating to membership forms and certificates of authority.

SB 459 amended to HB 121 – Deems a health carrier’s network to be adequate if it has been accredited by certain organizations.

SB 500 amended to HB 679 – Removes the aggregate cap for the adoption tax credit program.

SB 570 amended to HB 598 – Establishes a license registration procedure for street rods and custom vehicles.

SB 571 amended to HB 445 – Includes Christian Science practitioners within the definition of Minister for mandated reports of child abuse.

SB 607 amended SB 2 – Removes the salaries of elected officials from those not considered wages for unemployment benefits.

SB 682 amended to HB 679 – Requires the juvenile court to notify school districts of any violations of compulsory school attendance.

Amendments attached:

Creating a crime of stealing yard signs - passed on HB 511
Transportation Issues

I began the 2003 legislative year committed to finding new money to repair Missouri's roads. I refilled legislation allowing toll roads, and worked with concerned groups to find alternative sources.

Sen. John Dolan, chairman of the Senate Transportation Committee, decreed early in the session that no new money was to go to the Missouri Department of Transportation (MoDOT) this session, it was important to reform the department first.

What this could mean is critical projects like Highway 141-expansion north to Page Avenue, Page Avenue extension, will be completed several years sooner.

Major reform efforts will begin with the passage House Bill 668, which enacts various accountability measures for the operation of the Department of Transportation.

I fully backed this measure, which creates the Office of Inspector General assigned to the General Assembly.

Among the responsibilities of the inspector general will be performing investigations, reviews, audits and other of the Department of Transportation, and maintaining records and confidentiality in regard to these duties.

Current and former employees of the department can turn relay problems or grievances with this office.

Other provisions in HB 668 deal with the Missouri Highway and Transportation Commission. The act prohibits members from engaging in political activities such as campaigning or fund-raising and provides for a commissioner of each party to be replaced at the same time.

I believe this legislation is a good start toward real reform in the Missouri Department of Transportation.

Toll Roads

The tight state budget is forcing us to look at alternative funding solutions for our transportation problems. Toll roads now operate successfully in the majority of states, and have allowed these states to improve their infrastructure system without raising taxes.

This gives the state another option of revenue besides taxation. It would shift the burden to those individuals who use Missouri's roads and highways, but do not live in the state.

To construct the toll roads, the Highways and Transportation Commission would issue revenue bonds. The legislation limits the amount to no more than $500 million at any one time. The interest from the bonds would be exempt from taxation by the state.

Once constructed, the revenue generated from the toll facility would pay for the repairs and continued maintenance as well as the facilities themselves.

I will reintroduce bills addressing toll roads during the 2004 Legislative Session.

Road Construction Projects

A variety of road constructions will be taking place in the 7th District in the coming months, including those listed here:

- The City of Maryland Heights has begun the first phase of the new Maryland Heights Expressway between the Earth City Expressway and Sportport Road. This two mile section of four lane divided pavement will provide improved access to UMB Pavilion/Riverport, Marine Ave., Creve Coeur Park and the Sportport Soccer Facility.


- Lindbergh Tunnel at Lambert-St. Louis International Airport – The Lambert Airport Expansion Program includes the relocation of Lindbergh Blvd. by routing it through a tunnel under the new runway/taxiways. Will be completed in the fall of 2004.

In addition, Route 364 (Page Ave) from west of Jungs Station Rd. at Rte. 94 (St. Charles County) to Schuetz Road at Page Ave. (St. Louis County) – Construct bridges at the Missouri River and the Creve Coeur Lake, construct a new interchange at Jungs Station, paving and soundwalls. Completion in late 2003.
Be Cautious When Choosing Cell Phone Plans

Recently I attempted to switch cell phone service and I ran into many unexpected problems.

I found that good customer service after the sale to be a big issue. Additionally, some plans actually lock you into another yearlong contract if you make any change in your plan such as increasing and reducing your minutes.

I filed legislation seeking an investigation of the location of service gaps – where are they, what is causing them and what can be done to fix or at least disclose them?

Unfortunately, the bill was never even given a vote by the committee.

Short of a new investigation and new laws, I am providing this information – originally published in SmartMoney.com – as a consumer service. I hope you will find it helpful.

Cell phone plan comparison worksheet:

You need to do a lot of research to land a good deal on a calling plan for a cell phone. This worksheet is based on one that can be found at bankrate.com. Use it every time you contact a service provider.

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<th>Cellular Phone Plan Comparison Checklist:</th>
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<tr>
<td><strong>Service Provider</strong></td>
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<td><strong>Calling Plan:</strong></td>
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<td><strong>Basic Monthly fee:</strong></td>
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<td><strong>Contract Length:</strong></td>
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<td><strong>Changes Allowed:</strong></td>
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<td><strong>Cancellation Fee:</strong></td>
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Encouraging Young People to Wait Until Marriage

In February, I was proud to hold a reception in my Capitol office for Chesterfield resident Tara Bollinger – who also happens to be Miss Missouri USA. Tara is an extraordinary young woman, who represents the State of Missouri with pride. She has strong morals and values, and has used her platform as Miss Missouri to encourage young people to make positive choices.

One of her most important contributions is her commitment to encourage young people to abstain from sex before marriage. This is a powerful message and one that I completely support.

It’s crucial that we make teenagers understand that choosing to have sex too early can lead to life altering changes including an unplanned pregnancy or a sexually transmitted disease.

In 1999, the General Assembly passed legislation that if a public school district offers a sex education program, the curriculum must be based on abstinence.

Nationally, young people are speaking out about their choice to remain abstinent.

It would be a smart move for all parents to check out the Sex Respect web site at http://www.respectincorporated.com/.

I’m certain it’s a site that you’ll want your children to look up.

Leadership Academy Trains Missouri’s Future Leaders

In 1995, as a new member of the House of Representatives, I continued a program which eventually became the 7th District Leadership Academy. The educational youth group provides young people with a unique opportunity to study the operation of state government.

It is my fervent belief that good government will follow an informed citizenry. This educational group offers a first-hand view of how our government works. I want to encourage these young people the have the understanding and an interest in and encourage involvement similar to that with which I was raised.

Events are held once a month during the school year, and some of the activities include a visit to the St. Louis County Court for a mock trial, a tour of the Clayton Juvenile Justice Center, and a President’s Day field trip to the State Capitol in Jefferson City to view the State Legislature in session. For more information on the 7th District Leadership Academy, contact my Jefferson City office at (573) 751-9763.
Missouri Honors Bill of Rights on Dec. 15

The Bill of Rights may be the single most important document in American history. All of the articles and clauses of the Constitution outline how government works, how power is divided between the legislative, executive and judicial branches of government. The Bill of Rights puts restrictions on the government in order to preserve several basic individual rights. These are the rights that for over 200 years men and women have fought to defend.

This nation is unique in this world, in its respect of individual liberty.

We are committed to upholding these principles, embodied in the Bill of Rights, that have safeguarded this country throughout its history and that continue to provide the foundation of its strength and prosperity.

During the 2002 Legislative Session, I successfully sponsored legislation that designates every Dec. 15 as the Bill of Rights Day in Missouri.

This is meant to be an informational day of remembrance. It’s my hope that teachers and students will hold discussions on the principles embraced by our Founding Fathers.

As part of the observation of this day, the Bill of Rights will be read in public schools and there will be related exercises. In addition, the Bill of Rights will be read in all courtrooms on that day.

This fall, I will join with the Missouri Press Association and the Missouri Bar Association in launching a Bill of Rights essay contest for all Missouri high school juniors.

On Dec. 15, 1791, the first amendments to the United States Constitution, also known as the Bill of Rights, was ratified.

Without these protections, the weak person would be at the mercy of the strong, the poor at the mercy of the rich, the many at the mercy of the few, the few at the mercy of the many, and the people at the mercy of the government. But with the protection of our Bill of Rights, there is an iron-ring of immunity around each and every one of us. It is embedded not only in our traditions, but clearly spelled out in the highest laws of the land.

The Bill of Rights guarantees the following:

- Freedom of speech, press, religion, assembly and petition.
- Right to keep and bear arms.
- Conditions for quartering of soldiers.
- Right against unreasonable search and seizure.
- Provisions concerning criminal prosecution, self-incrimination and deprivation of life, liberty and property without due process.
- Right to a speedy trial, witnesses, etc.
- Right to a trial by jury.
- Rights against excessive bail, cruel and unusual punishment.
- Rule of construction of Constitution that the people retain certain rights.

Rights of the states under the Constitution

In December of 2002, I joined Secretary of State Matt Blunt at a press conference where we urged all Missourians to mark the Bill of Rights Day on Dec. 15.
Since my election to the Missouri Senate in 2000, I have been honored to sponsor the gubernatorial appointments of the following 7th District residents:

- Andrea J. Lawrence – Missouri Real Estate Commission
- Roslyn Morgan – Consolidated Health Care Plan Board of Trustees
- Susan K. Orton – Missouri Head Injury Advisory Council
- Eddie F. Brown – Unmarked Human Burial Consultation Committee
- Jerry E. Adams – Missouri State Water Patrol
- Josephine L. Emerick – Board of Architects, Professional Engineers and Professional Land Surveyors
- Sammy Lee Page – Commission for the Missouri Senior Rx Program
- David J. Heath – Missouri Training and Employment Council
- Rev. Robert Charles Scott – Missouri Commission on Human Rights
- LeRoy J. Kraemer – State Board of Mediation
- Daniel J. Betzler – Board for Certification of Interpreters
- Theodore Wenzlick – Missouri Community Service Commission
- John S. Gaal – Missouri Training and Employment Council
- Melba R. Hale – Advisory Commission for Professional Physical Therapists
- Jeanne R. Rhoades – Advisory Commission for Clinical Perfusionists
- Gretchen Davis – Missouri Community Service Commission
- Dr. Jacquelyn B. Garrett – State Board of Registration for the Healing Arts
- Jane Klieve – Missouri Housing Development Commission
- Douglas Morgan – Missouri State Public Employees Deferred Compensation Commission
- Jeffrey Siria – Advisory Committee on Lead Poisoning
- Robert Thomson – Missouri Community Service Commission
- Carol Bergmann – Board of Examiners for Hearing Instruments Specialists
- Gary B. O’Neal – Petroleum Storage Tank Insurance Fund
- Eric J. Aubert, DMD – Missouri Dental Board

Other Appointments (Not Gubernatorial)

- Tom Weber – Missouri Rail Passenger Advisory Committee
- Cathy Meyer – State Advisory Panel for Special Education

The governor makes appointments to state boards and commissions with the advice and consent of the Senate. The Senate Committee on Gubernatorial Appointments – which I serve on – 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.

If you are interested in joining your neighbors in public service, I welcome you to look at the state web page and/or contact my office at (573) 751-9763.