

Weekly Report  
February 13, 2004

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**MISSOURI'S SUNSHINE LAW SHOULD NOT UNFAIRLY PUNISH  
PUBLIC EMPLOYEES AND OFFICIALS**

The Missouri House of Representatives is once again trying to cut funding for Amtrak services in next year's budget.

Funding Amtrak is a problem lawmaker's face nearly every year, and every year there is a fight to keep Amtrak running on Missouri's tracks.

The state subsidizes Amtrak to operate two daily trains between St. Louis and Kansas City, with eight stops in between.

Last year, when Amtrak threatened to end one of two trains by March 1, 2003, the Legislature agreed to spend an additional \$800,000 and state officials struck a unique deal with Amtrak to impose a \$5 per passenger surcharge on Missouri trips. Amtrak also eliminated ticket agents in Jefferson City and Kirkwood to help make up the difference.

The House Appropriations Committee has already indicated that they will cut all funding for Amtrak in the Fiscal Year 2005 budget for the Department of Transportation.

Despite the House's failure to cooperate on this issue, Amtrak will get funded. The budget won't make it out of the Senate without funding for Amtrak.

In other issues, provisions in the Sunshine Law continue to be debated in the Capitol.

Missouri lawmakers are committed to openness in government and our Sunshine Law sets out specific instances when a meeting, record or vote may be closed.

I serve on the Senate Commerce and Environment Committee that passed this bill and sent it to the floor for debate.

The problem I have with the current version is that it causes a mandatory fine to be levied against innocent and dedicated public employees and public officials when they

either unknowingly vote to go into a closed meeting or, against no fault of their own, they miss a deadline request for release of a public record.

I absolutely support punishing public employees and officials who knowingly and willingly violate provisions in the Sunshine Law.

I also support setting permanent fees for copy requests or information. In fact, I have personally known of situations when private citizens have been gauged for copies of public documents.

Hopefully the Missouri Press Association will realize that imposing civil fines on innocent, hardworking public officials is not fair or in the best interest of the public good if we compromise on this controversial provision.

The Missouri Municipal League, the Missouri Sheriff's Association and the Missouri Fire Service Alliance all have grave concerns about the current language in this legislation.

When this bill is brought to the floor for debate, I will add a provision that would require a public governmental body made up of all elected officials cannot take roll call votes from anyone who is not physically present at the meeting. This provision would outlaw telephone, e-mail or any other means of taking a vote.

If you are in Jefferson City, please feel free to stop by my office in Room 226 at the State Capitol. You may call me anytime at (800) 247-6102 or (573) 751-3678, or you may call my home at 239-2521 or 239-2523. My cell phone number is (314) 650-5777.