

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION NO. 1

Rejecting the amount of increase in compensation for public officials as recommended by the Citizen's Commission on Compensation for Elected Officials.

WHEREAS, in November 1994, the people of Missouri established in the Missouri Constitution an independent citizen's commission that was given primary responsibility to establish a schedule of compensation for public officials based upon a review and study of the duties of elected state officials, judges and members of the General Assembly; and

WHEREAS, the Commission has faithfully undertaken its responsibility and submitted a compensation schedule that provides for an increase in compensation for the affected public officials in the amount of 5.8% and an increase for judges in the amount of \$6,000 per year; and

WHEREAS, the percentage increase recommended by the Citizen's Commission on Compensation for Elected Officials was based upon recommendations made by the Personnel Advisory Board and the Missouri Commission on Total Compensation for all state employees for fiscal year 2004; and

WHEREAS, the Citizen's Commission report makes clear that the Commission intended public officials should be treated the same as all other state employees; and

WHEREAS, the increases ultimately adopted for all state employees may well not be those recommended by the Commission when its schedule was approved and filed; and

WHEREAS, the General Assembly believes that public officials and judges should not receive any cost-of-living increase in compensation, if at all, in excess of the average salary adjustment provided to other state employees; and

WHEREAS, the Missouri Constitution clearly provides that the recommendations of the Commission are subject to appropriations, and therefor may be reduced or rejected by the General Assembly and no increase shall take effect unless and until appropriated:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate of the First Regular Session of the Ninety-second General Assembly, the House of Representatives concurring therein, that we hereby reject the Compensation Schedule of the 2002 Report and Compensation Schedule of the Missouri Citizens Commission on Compensation for Elected Officials dated, November 27, 2002.

SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the General Assembly is responsible for the appropriation of funds to support the operation of the forty-five judicial circuits of this state; and

WHEREAS, the General Assembly has a duty to ensure that funds appropriated to the forty-five judicial circuits are being used efficiently and effectively:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Judicial Resources in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of two majority members and one minority member of the Senate, to be appointed by the President Pro Tem of the Senate; two majority members and one minority member of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and one appellate judge, one circuit judge, and one associate circuit judge, to be appointed by the chief justice of the supreme court; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the activities of the state's forty-five judicial circuits, including an examination of the caseload of each circuit judge, associate circuit judge, and any commissioner of the circuit, examine any other issues that the committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of the judicial circuits; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations from the Office of State Courts Administrator, any judicial circuit within the state and the Missouri Bar; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2004, and the authority of such Committee shall terminate on December 31, 2003; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, the office of the State Courts Administrator which office shall supply a copy to each judicial circuit in the state, and the Missouri Bar Association.

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 8

Relating to changing the name of the St. Louis Central Office of the Division of Workforce Development to the "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development"

WHEREAS, Nathaniel J. "Nat" Rivers served the people of the City of St. Louis as a member of the Missouri House of Representatives beginning in 1969, and he continued to serve for the next fourteen years; and

WHEREAS, Nat Rivers was born in Cache, Illinois and educated at Sumner High School in Cairo, Illinois, Southern Illinois University at Carbondale and St. Louis University; and

WHEREAS, Nat Rivers, a real estate and insurance broker, was very active in his community, and served on the Board of Directors of Mid-City Rental Company, Union Sarah Community Corporation, West Side Redevelopment Corporation, West End Congress, Union-Sarah Economic Development Corporation and West Side Community Gardens; and

WHEREAS, Nat Rivers was recognized for his contributions to the St. Louis community through numerous awards, including the St. Louis Citizens Award in Community Service in 1979, the Harris-Stowe College Award in recognition for his concern for Higher Education and Human Development in 1978, and the Dr. Martin Luther King Jr. Human Rights Award in 1979; and

WHEREAS, such awards only begin to recognize Nat Rivers' true accomplishments and contributions to the citizens of St. Louis and the State of Missouri; and

WHEREAS, the most appropriate way to recognize an individual of Nat Rivers' stature is to name a public building after him; and

WHEREAS, the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, has no proper name; and

WHEREAS, this St. Louis Central Office provides much needed community services to persons in the St. Louis area, including job service and development, job corps, work opportunity and welfare-to-work information, job training assistance, veterans service and unemployment benefit information; and

WHEREAS, Nat Rivers' contributions and service to the community of St. Louis are exemplary and distinguished:

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, proclaims that the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, be hereby named the "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development", and that a sign or signs of appropriate size, lettering and design be constructed and placed on said office property with the name "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development" on said sign, which shall be readily legible from the street; and

BE IT FURTHER RESOLVED that the Director of the Department of Economic Development shall promptly notify those members of the General Assembly whose constituents are served

by the Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development, the Secretary of the Senate and the Chief Clerk of the House of Representatives with the date in which said sign or signs are to be placed on the property; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 11, 2003

SENATE CONCURRENT RESOLUTION NO. 10

BE IT RESOLVED by the Senate of the Ninety-second General Assembly, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed and bound all acts and resolutions of the Ninety-second General Assembly, First Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that she has compared the same with the original rolls in her office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-second General Assembly, First Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

SENATE CONCURRENT RESOLUTION NO. 11

Relating to the creation of the comprehensive patient education and health care cost improvement pilot project.

WHEREAS, in order to continue to provide improved services to patients in this state, improving patient information regarding elective surgical procedures and their risks and complications is needed; and

WHEREAS, the lack of information regarding surgery, surgical risks, and post surgical complications contributes to patient dissatisfaction, over-utilization of the health care system, malpractice claims, and the rising cost of healthcare; and

WHEREAS, the Department of Insurance and any appropriate health care institution may evaluate the establishment of the "Comprehensive Patient Education and Healthcare Cost

Improvement Pilot Program" which will develop and incorporate effective patient education programs into the preoperative consultation and informed consent process; and

WHEREAS, the Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program shall be subject to appropriations and implemented no later than six months after funding for the pilot program is made available if the department, in its judgment, concludes such program is beneficial to the health care system of Missouri, and shall have a duration of three years; and

WHEREAS, the Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program shall, prior to the patient consenting to elective surgery:

- (1) Use an educational system that visually explains to the patient in simple terms the entire surgical procedure;
- (2) Fully discloses to the patient in simple terms all known complications and their frequencies based on accepted medical literature;
- (3) Allows the patient access to the education outside the surgeon's office;
- (4) Fully documents the patient education process;
- (5) Collects outcome data after surgery; and
- (6) Fully disclose to the patient the value of second opinions from financially disinterested parties; and

WHEREAS, the Department of Insurance shall monitor the pilot program and report to the Director of the Department of Insurance and the General Assembly on the effectiveness of such program by the second week of the regular session of the General Assembly in the next session following completion of the Pilot Program; and

WHEREAS, the report shall include an analysis of the advantages and disadvantages of the patient education process, including but not limited to:

- (1) The effect of the Pilot Program on the reduction of medical malpractice claims;
- (2) Patient satisfaction concerning the education process;
- (3) Doctors' feedback concerning the Pilot Program;
- (4) Total number of surgical procedures performed;
- (5) A comparison of Medicaid dollars spent on relevant surgical procedures versus the previous year and projected year; and
- (6) Suggestions for improving the educational system or its implementation, if any:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the Department of Insurance to create the "Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program". If, after the evaluation called for in this resolution, the department concludes such pilot program is beneficial to the health care system of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 11, 2003

SENATE CONCURRENT RESOLUTION NO. 12

WHEREAS, a recent report of the Bureau of Justice Statistics, reported there are more than 1.4 million prisoners in the jurisdiction of federal or state adult correctional agencies, and the overall population of those incarcerated exceeds 2.07 million persons; and

WHEREAS, state prisons are operating between full and 15 percent above capacity and federal prisons are operating 31 percent above capacity; and

WHEREAS, in the wake of September 11, states have been charged with homeland safety and are required to more stringently track prisoners and prison populations; and

WHEREAS, while state growth in revenue continues to decline, the Missouri Department of Corrections continues to experience increasing demands through federal and state laws, sentencing guidelines, and recidivism, and is thus facing an increasing prison population; and

WHEREAS, it is in the state's best interest to encourage offender education, vocation, and substance abuse programs, and to include adult basic education/GED preparation, religious programs, wellness, parenting, and life skills programs; and

WHEREAS, both the federal and state government should continue to set forth high standards of service and levels of quality for housing detainees similar to those found in the American Correctional Association (ACA); and

WHEREAS, President George W. Bush, in August, 2002, proposed a federal initiative to institute more e-government, improve financial management with better audit results, initiate performance-based budgeting, reduce middle management, and increase competitive bidding between public and private sections; and

WHEREAS, the state of Missouri through its elected Senators and Representatives is seeking all available remedies to its declining revenues, but demands accountability, performance, low cost, and flexibility in its solutions:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Governor and the Missouri Department of Corrections to explore the opportunities for public-private partnerships to design, build and/or manage prison facilities, and to monitor inmate populations; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor of Missouri and the Director of the Missouri Department of Corrections.

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 13

Establishing a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research.

WHEREAS, the current budgetary situation has brought about a heightened necessity to re-examine the state's expenditures; and

WHEREAS, the state performs many functions which are similarly performed by private industry; and

WHEREAS, certain aspects of state administration and services may be more efficiently served by private involvement; and

WHEREAS, the Joint Committee on Legislative Research is established pursuant to the Constitution to carry out the duties assigned to it by law:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, that we hereby create a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research; and

BE IT FURTHER RESOLVED, the subcommittee shall identify ways to reduce cost to state government and increase quality of state services to the citizens of this state; and

BE IT FURTHER RESOLVED, the subcommittee shall perform both a competition review and privatization review and make recommendations based on its findings; and

BE IT FURTHER RESOLVED that the Subcommittee herein established shall consist of sixteen members of which four shall be members of the Senate appointed by the President Pro Tem of the Senate of which at least two shall be members of the minority party, four shall be members of the House of Representatives of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader with approval of the Speaker of the House of Representatives, four shall be representatives of private businesses appointed by the President Pro Tem of the Senate of which at least two shall be members of the minority party, four shall be representatives of private business appointed by the Speaker of the House of Representatives of which at least two shall be members of the minority party, and the President Pro Tem of the Senate and the Speaker of the House of Representatives shall collaborate to ensure that the membership of the Subcommittee reflects adequate minority and gender representation; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research shall provide the necessary staff resources for the Subcommittee from its own staff, although it may choose to call upon the additional resources of the Senate and House Research offices; and

BE IT FURTHER RESOLVED that the subcommittee is authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective provided herein; and

BE IT FURTHER RESOLVED that within funds available to the committee, it may employ necessary consulting services to assist in its objectives and provide for reasonable reimbursement of non-legislative members of the committee; and

BE IT FURTHER RESOLVED that the subcommittee shall hold its initial meeting no later than the first Friday after the start of the first September Veto Session of the Ninety-second General Assembly and shall meet at least quarterly thereafter; and

BE IT FURTHER RESOLVED that the subcommittee must deliver its first report to the Governor, General Assembly, the state Auditor, and the Joint Committee on Legislative Research with its findings and recommendations by January 15, 2004 and a second report to the same by December 31, 2004; and

BE IT FURTHER RESOLVED that the subcommittee shall expire at the end of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Joint Committee on Legislative Research.

Approved July 11, 2003

SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, public education is the primary responsibility of the state after paying state debts, as provided pursuant to Article III, Section 36 of the Missouri Constitution; and

WHEREAS, the adequacy and equity of funding available to public schools has again become a serious concern across the state, highlighted by the wide range of available operating funding for Missouri school districts, which ranges from \$4,500 to over \$13,700 per pupil; and

WHEREAS, the cost to fully fund state school aid continues to increase significantly each year and requires funds which create hardships for other sectors of society needing access to state funds; and

WHEREAS, public education is labor intensive with roughly three-fourths of operating cost supporting salaries and benefits of staff, and most of those salaries being paid to certificated teachers; and

WHEREAS, the fiscal situation facing the state and the resulting budget problems limits the ability to fund all services including education, it is necessary to review the state's commitment to all present and future aspects of education funding; and

WHEREAS, the fiscal situation and problems facing this state are serious and likely to continue for the foreseeable future and because any major alternation rendered to the state's education funding formula will require some amount of increased appropriation in order to meet the required legal standards of equity and adequacy, the need to explore opportunities to increase general revenue resources that can be used for the funding of education is critical:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, that a joint interim committee on education be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study concerning all issues relating to equity and adequacy of distribution of state school aid, teachers' salaries, funding for school buildings, and overall funding levels for schools and any other education-related issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Department of Elementary and Secondary Education, the State Board of Education, the Department of Higher Education, the Coordinating Board for Higher Education, the State Tax Commission, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, Missouri's dairy industry has dramatically changed over the past three decades; and

WHEREAS, the number of dairy farms has declined by 83% and state milk production has dropped by 35% since 1975; and

WHEREAS, neighboring states around Missouri are making tremendous advances to expand their dairy industry and have found solutions in spite of state budget shortfalls; and

WHEREAS, the Missouri Dairy Growth Council has developed a "Dairy Producers' Industry Plan" that emphasizes necessary changes for expanding Missouri's dairy industry including:

- (1) Enhancing Missouri dairy operations by providing producer education and training;
 - (2) Focusing on business planning, financial bench marking, employee training and management and risk management can lead to successful dairy enterprises;
 - (3) Creating a business climate that promotes growth and investment in Missouri dairies will result in the long-term health and expansion of the Missouri dairy industry;
 - (4) Expanding access to capital for dairy modernization, creation, and expansion is essential to the success of the dairies in Missouri; and
 - (5) Providing a strong organizational and communications infrastructure to ensure long-term success for dairy producers; and
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WHEREAS, the time is right to bring back the dairy industry in Missouri and reverse the downward trends:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby endorse the recommendations of the Missouri Dairy Growth Council; and

BE IT FURTHER RESOLVED that Missouri's Department of Agriculture work in cooperation with the Missouri Dairy Growth Council to complete a five-year plan for Missouri's dairy industry including the establishment of a website for the marketing of all dairy production inputs; and

BE IT FURTHER RESOLVED the Department of Natural Resources reach an agreement with the dairy industry on what are required and acceptable regulations for dairy and heifer growing operations; and

BE IT FURTHER RESOLVED the Department of Economic Development receive a detailed briefing on the economic impact of Missouri dairy operations.
