

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SECOND DAY—WEDNESDAY, MARCH 5, 2008

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...but my steadfast love shall not depart from you, and my covenant of peace shall not be removed, says the Lord, who has compassion on you.” (Isaiah 54:10)

Gracious God, Your eternal covenant tells us Your ultimate desire to save us from our own destructive nature; and we see that in the behavior of far too many in our world. Teach us not to take Your love for granted, nor Your desire to bless us. Help us to be about that which You seek us to do and to walk humbly with You daily. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Goodman	Graham	Green	Griesheimer	Justus	Koster
Lager	Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—31	

Absent—Senators—None

Absent with leave—Senators

Bartle Gibbons Kennedy—3

Vacancies—None

The Lieutenant Governor was present.

Senator Rupp assumed the Chair.

RESOLUTIONS

Senator Rupp offered Senate Resolution No. 2032, regarding the Old Monroe Fire Protection District, which was adopted.

Senator McKenna offered Senate Resolution No. 2033, regarding Geoff McCartney, Arnold, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2034, regarding the One Hundred Fiftieth Anniversary of the St. Patrick Post Office, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SBs 1034** and **802**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Mayer moved that the vote by which **SCS** for **SBs 1034** and **802**, as amended, was declared perfected and ordered printed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days	Dempsey
Engler	Goodman	Graham	Green	Griesheimer	Justus	Lager	Mayer
McKenna	Nodler	Purgason	Rupp	Scott	Shields	Smith	Stouffer
Vogel	Wilson—26						

NAYS—Senator Shoemyer—1

Absent—Senators

Barnitz	Koster	Loudon	Ridgeway—4
---------	--------	--------	------------

Absent with leave—Senators

Bartle	Gibbons	Kennedy—3
--------	---------	-----------

Vacancies—None

Having voted on the prevailing side, Senator Mayer moved that the vote by which **SCS** for **SBs 1034** and **802**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Crowell	Days	Dempsey
---------	------	----------	----------	---------	---------	------	---------

Engler	Goodman	Graham	Green	Griesheimer	Justus	Koster	Lager
Mayer	McKenna	Nodler	Purgason	Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—28				

NAYS—Senators—None

Absent—Senators

Coleman	Loudon	Ridgeway—3
---------	--------	------------

Absent with leave—Senators

Bartle	Gibbons	Kennedy—3
--------	---------	-----------

Vacancies—None

Having voted on the prevailing side, Senator Mayer moved that the vote by which **SSA 1** for **SA 1** to **SCS** for **SBs 1034** and **802** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Crowell	Days	Dempsey
Engler	Goodman	Graham	Green	Griesheimer	Justus	Koster	Lager
Mayer	McKenna	Nodler	Purgason	Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—28				

NAYS—Senators—None

Absent—Senators

Coleman	Loudon	Ridgeway—3
---------	--------	------------

Absent with leave—Senators

Bartle	Gibbons	Kennedy—3
--------	---------	-----------

Vacancies—None

SSA 1 for **SA 1** was again taken up.

At the request of Senator Mayer, the above substitute amendment was withdrawn.

Senator Mayer offered **SSA 2** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1034 and 802, Page 3, Section 407.303, Line 2, by striking “fifty” and inserting in lieu thereof the following: “**one hundred**”; and further amend line 2 of said section, by inserting after “check” the following: “**or any other payment method that may be traced**”.

Senator Mayer moved that the above substitute amendment be adopted, which motion prevailed.

Senator Mayer moved that **SCS** for **SBs 1034** and **802**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **SBs 1034** and **802**, as amended, was declared re-perfected and ordered printed.

Senator Engler moved that **SB 756**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 756** was again taken up.

The Senate observed a moment of silence in remembrance of Michael N. Keathley.

Senator Engler moved that **SCS** for **SB 756** be adopted.

At the request of Senator Engler, **SB 756**, with **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1384**, entitled:

An Act to amend chapter 570, RSMo, by adding thereto one new section relating to identify theft incident reports.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SBs 1034** and **802**, begs leave to report that it has examined the same and finds that the bill has been truly re-perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Shields, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Griesheimer.

SENATE BILLS FOR PERFECTION

Senator Champion moved that **SB 732**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 732**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 732

An Act to repeal sections 195.010, 195.017, and 195.417, RSMo, and to enact in lieu thereof eleven new sections relating to monitoring of drugs, with penalty provisions and an effective date.

Was taken up.

Senator Champion moved that **SCS** for **SB 732** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 732, Page 31, Section 195.017, Line 736, by inserting immediately after said line the following:

“195.070. 1. A physician, podiatrist, dentist, or a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, RSMo, in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, RSMo, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019, RSMo, and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104, RSMo, may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family.

3. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and he may cause them to be administered by an assistant or orderly under his direction and supervision.

[3.] 4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

[4.] 5. An individual practitioner may not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in a commercial container unless such container bears a label containing an identifying symbol for such substance in accordance with federal laws.

2. It shall be unlawful for any manufacturer of any controlled substance to distribute such substance unless the labeling thereof conforms to the requirements of federal law and contains the identifying symbol required in subsection 1 of this section.

3. The label of a controlled substance in Schedule II, III or IV shall, when dispensed to or for a patient, contain a clear, concise warning that it is a criminal offense to transfer such narcotic or dangerous drug to any person other than the patient.

4. Whenever a manufacturer sells or dispenses a controlled substance and whenever a wholesaler sells or dispenses a controlled substance in a package prepared by him, he shall securely affix to each package in which that drug is contained, a label showing in legible English the name and address of the vendor and the quantity, kind, and form of controlled substance contained therein. No person except a pharmacist for the purpose of filling a prescription under sections 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

5. Whenever a pharmacist or practitioner sells or dispenses any controlled substance on a prescription

issued by a physician, dentist, podiatrist [or], veterinarian, **or advanced practice registered nurse**, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name and address of the pharmacy or practitioner for whom he is lawfully acting; the name of the patient or, if the patient is an animal, the name of the owner of the animal and the species of the animal; the name of the physician, dentist, podiatrist [or], **advanced practice registered nurse, or veterinarian** by whom the prescription was written; **the name of the collaborating physician if the prescription is written by an advanced practice registered nurse**, and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.”; and

Further amend said bill, Page 40, Section 195.417, Line 130 by inserting after all of said line the following:

“334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016, RSMo. **Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, RSMo, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, RSMo.** Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. **The written collaborative practice arrangement shall contain at least the following provisions:**

(1) **Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;**

(2) **A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;**

(3) **A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;**

(4) **All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;**

(5) **The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:**

(a) **Engage in collaborative practice consistent with each professional's skill, training, education,**

and competence;

(b) Maintain geographic proximity; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse; and

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's prescribing practices. The description shall include provisions that the advanced practice registered nurse shall submit documentation of the advanced practice registered nurse's prescribing practices to the collaborating physician within fourteen days. The documentation shall include, but not be limited to, a random sample review by the collaborating physician of at least twenty percent of the charts and medications prescribed.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036, RSMo, may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements **including delegating authority to prescribe controlled substances**. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197, RSMo.

[4.] 5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct

reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

[5.] **6.** Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, **including collaborative practice agreements delegating the authority to prescribe controlled substances**, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

[6.] **7.** Notwithstanding anything to the contrary in this section, a registered nurse who has graduated from a school of nurse anesthesia accredited by the Council on Accreditation of Educational Programs of Nurse Anesthesia or its predecessor and has been certified or is eligible for certification as a nurse anesthetist by the Council on Certification of Nurse Anesthetists shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197, RSMo.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020, RSMo, if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right

to refuse to collaborate, without penalty, with a particular physician.

335.016. As used in this chapter, unless the context clearly requires otherwise, the following words and terms mean:

(1) “Accredited”, the official authorization or status granted by an agency for a program through a voluntary process;

(2) “Advanced practice **registered** nurse”, a nurse who has [had] education beyond the basic nursing education and is certified by a nationally recognized professional organization [as having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses] **as a certified nurse practitioner, certified nurse midwife, certified registered nurse anesthetist, or a certified clinical nurse specialist. The board shall promulgate rules specifying which nationally recognized professional organization certifications are to be recognized for the purposes of this section.** Advanced practice nurses and only such individuals may use the title “Advanced Practice Registered Nurse” and the abbreviation “APRN”;

(3) “Approval”, official recognition of nursing education programs which meet standards established by the board of nursing;

(4) “Board” or “state board”, the state board of nursing;

(5) “**Certified nurse practitioner**”, a registered nurse who is currently certified as a nurse practitioner by a nationally recognized certifying body approved by the board of nursing;

(6) “**Certified clinical nurse specialist**”, a registered nurse who is currently certified as a clinical nurse specialist by a nationally recognized certifying board approved by the board of nursing;

(7) “**Certified nurse midwife**”, a registered nurse who is currently certified as a nurse midwife by the American College of Nurse Midwives, or other nationally recognized certifying body approved by the board of nursing;

(8) “**Certified registered nurse anesthetist**”, a registered nurse who is currently certified as a nurse anesthetist by the Council on Certification of Nurse Anesthetists, the Council on Recertification of Nurse Anesthetists, or other nationally recognized certifying body approved by the board of nursing;

[(5)] (9) “Executive director”, a qualified individual employed by the board as executive secretary or otherwise to administer the provisions of this chapter under the board's direction. Such person employed as executive director shall not be a member of the board;

[(6)] (10) “Inactive nurse”, as defined by rule pursuant to section 335.061;

[(7)] (11) “Lapsed license status”, as defined by rule under section 335.061;

[(8)] (12) “Licensed practical nurse” or “practical nurse”, a person licensed pursuant to the provisions of this chapter to engage in the practice of practical nursing;

[(9)] (13) “Licensure”, the issuing of a license to practice professional or practical nursing to candidates who have met the specified requirements and the recording of the names of those persons as holders of a

license to practice professional or practical nursing;

[(10)] (14) “Practical nursing”, the performance for compensation of selected acts for the promotion of health and in the care of persons who are ill, injured, or experiencing alterations in normal health processes. Such performance requires substantial specialized skill, judgment and knowledge. All such nursing care shall be given under the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse. For the purposes of this chapter, the term “direction” shall mean guidance or supervision provided by a person licensed by a state regulatory board to prescribe medications and treatments or a registered professional nurse, including, but not limited to, oral, written, or otherwise communicated orders or directives for patient care. When practical nursing care is delivered pursuant to the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse, such care may be delivered by a licensed practical nurse without direct physical oversight;

[(11)] (15) “Professional nursing”, the performance for compensation of any act which requires substantial specialized education, judgment and skill based on knowledge and application of principles derived from the biological, physical, social and nursing sciences, including, but not limited to:

(a) Responsibility for the teaching of health care and the prevention of illness to the patient and his or her family;

(b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill, injured or experiencing alterations in normal health processes;

(c) The administration of medications and treatments as prescribed by a person licensed by a state regulatory board to prescribe medications and treatments;

(d) The coordination and assistance in the delivery of a plan of health care with all members of a health team;

(e) The teaching and supervision of other persons in the performance of any of the foregoing;

[(12)] (16) A “registered professional nurse” or “registered nurse”, a person licensed pursuant to the provisions of this chapter to engage in the practice of professional nursing;

[(13)] (17) “Retired license status”, any person licensed in this state under this chapter who retires from such practice. Such person shall file with the board an affidavit, on a form to be furnished by the board, which states the date on which the licensee retired from such practice, an intent to retire from the practice for at least two years, and such other facts as tend to verify the retirement as the board may deem necessary; but if the licensee thereafter reengages in the practice, the licensee shall renew his or her license with the board as provided by this chapter and by rule and regulation.

335.019. The board of nursing may grant a certificate of controlled substance prescriptive authority to an advanced practice registered nurse who:

(1) Submits proof of successful completion of an advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines and therapeutic devices; and

(2) Provides documentation of a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor; and

(3) Provides evidence of a minimum of one thousand hours of practice in an advanced practice

nursing category prior to application for a certificate of prescriptive authority. The one thousand hours shall not include clinical hours obtained in the advanced practice nursing education program. The one thousand hours of practice in an advanced practice nursing category may include transmitting a prescription order orally or telephonically or to an inpatient medical record from protocols developed in collaboration with and signed by a licensed physician; and

(4) Has a controlled substance prescribing authority delegated in the collaborative practice arrangement under section 334.104, RSMo, with a physician who has an unrestricted federal Drug Enforcement Administration registration number and who is actively engaged in a practice comparable in scope, specialty, or expertise to that of the advanced practice registered nurse.”; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

Senator Champion raised the point of order that **SA 1** is out of order as it goes beyond the scope of the original bill.

The point of order was referred to Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, who ruled it well taken.

Senator Purgason offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 732, Page 32, Section 195.378, Line 16, by striking “or”; and further amend line 20, by inserting after the word “facility;” the following: “**or**

(e) A veterinarian licensed under chapter 340, RSMo, who dispenses such substances to animals from such veterinarian's own inventory;”.

Senator Purgason moved that the above amendment be adopted, which motion prevailed.

Senator Champion moved that **SCS** for **SB 732**, as amended, be adopted, which motion prevailed.

On motion of Senator Champion, **SCS** for **SB 732**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 5, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Larry W. Schepker, 813 Eastern Air Drive, Jefferson City, Cole County, Missouri 65109, as Commissioner of the Office of Administration, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Michael Keathley, deceased.

Respectfully submitted,
MATT BLUNT

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 5, 2008

To the Senate of the 94th General Assembly of the State of Missouri:
The following addendum should be made to the appointment of Johnny Dwight McNiel to the Board of Private Investigator Examiners, submitted on March 4, 2008. Line 1 should be amended as follows:

“Johnny Dwight McNiel, 1002 North Fourth Street, Ozark, Christian”

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 5, 2008

To the Senate of the 94th General Assembly of the State of Missouri:
The following addendum should be made to the appointment of William Duane Compton to the Missouri Fire Education Commission, submitted on March 4, 2008. Line 1 and 2 should be amended as follows:

“Education Commission, for a term ending April 26, 2012, and until his successor is duly appointed and qualified; vice, Phillip Sayer, deceased.”

Respectfully submitted,
MATT BLUNT

In the absence of President Pro Tem Gibbons and without objection, Senator Shields referred the above appointment and addendums to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 1058** be taken up for perfection, which motion prevailed.

Senator Shields assumed the Chair.

Senator Dempsey assumed the Chair.

At the request of Senator Mayer, **SB 1058** was placed on the Informal Calendar.

RESOLUTIONS

Senator Coleman offered Senate Resolution No. 2035, regarding Alexa Ahern, Webster Groves, which was adopted.

Senator Coleman offered Senate Resolution No. 2036, regarding Lauren Streicher, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2037, regarding Becky Schroer, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2038, regarding Ashley Parish-Nunley, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2039, regarding Jessica Elliston, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2040, regarding Kelly Malin, St. Louis, which was adopted.

Senator Goodman offered Senate Resolution No. 2041, regarding Richard Behle, Hollister, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2042, regarding Carol Perkins, Franklin County, which was adopted.

COMMUNICATIONS

Senator Green submitted the following:

March 5, 2008

Ms. Terry Spieler
Secretary of Senate
State Capitol Building
Room 325
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that Senate Bill 1121 be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45 and that it be returned to the Senate Small Business, Insurance & Industrial Relations Committee from which it was reported for action in accordance with the rules of the Senate.

This bill, which eliminates the requirement that product liability insurance companies report claims that do not result in payment on the insured's behalf, may contain data that is not otherwise available through alternate sources.

Sincerely,
/s/ Timothy P. Green
Timothy P. Green
State Senator
District 13

INTRODUCTIONS OF GUESTS

Senator Shoemyer introduced to the Senate, Nancy Gingrich, Amanda Carpenter, Drew Woods, Brett Threlkeld, Darcy Long, Keely McCarty and Chuck Carpenter, Shelby County.

Senator Stouffer introduced to the Senate, Tom, Becca and K.D. Burkhart, Salisbury; and Becca and K.D. were made honorary pages.

Senator Bray introduced to the Senate, Josh Jeffries, Memphis, Tennessee.

Senator Justus introduced to the Senate, Joshua Smith, St. Louis.

Senator Graham introduced to the Senate, Meredith Turk, Cleveland Ohio.

Senator Scott introduced to the Senate, Kenny and Vicky Thompson, Rogersville; and Reverend Poff, Hallsville.

Senator Smith introduced to the Senate, Serena Muhammad, St. Louis.

Senator Barnitz introduced to the Senate, twenty-two fourth grade students from St. Joseph School,

Westphalia.

Senator Scott introduced to the Senate, students from Windsor Elementary School; and Colton Gerke, Trenton Johnson, Jordan Kuehner and Breanna Bowers were made honorary pages.

Senator Ridgeway introduced to the Senate, Lila Weatherford and Sarah Rutt, Liberty; and Nancy Kincaid, Kansas City.

Senator Griesheimer introduced to the Senate, Maxine Johnson and Norman Lause, Washington.

Senator Griesheimer introduced to the Senate, his son, Aaron and Chuck Marquart, Washington.

Senator Koster introduced to the Senate, seventy fourth grade students from McEwoen Elementary School, Harrisonville.

On motion of Senator Shields, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-THIRD DAY—THURSDAY, MARCH 6, 2008

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 1595 & 1668
HB 1371-Wilson (119), et al

HB 1678-Day, et al
HB 1384-Cox, et al

THIRD READING OF SENATE BILLS

SCS for SB 781-Smith
SS for SCS for SB 778-Justus
SB 958-Goodman
SCS for SB 806-Engler
SCS for SB 720-Coleman

SCS for SBs 754 & 794-Mayer and Loudon
SCS for SB 788-Scott
SS for SCS for SBs 818 & 795-Rupp
SCS for SBs 1034 & 802-Mayer

SENATE BILLS FOR PERFECTION

1. SB 944-Engler, et al, with SCS
2. SB 939-Stouffer, with SCS
3. SB 1046-Mayer
4. SB 1116-Days
5. SB 1035-Scott, with SCS

6. SB 817-Goodman
7. SB 874-Graham, with SCS
8. SB 881-Green
9. SB 967-Mayer, with SCS
10. SB 713-Gibbons, with SCS

- | | |
|-------------------------------|---|
| 11. SB 1093-Loudon, et al | 17. SBs 982, 834 & 819-Purgason, with SCS |
| 12. SB 811-Stouffer, with SCS | 18. SB 767-Goodman and Gibbons, with SCS |
| 13. SB 957-Goodman | 19. SB 815-Goodman |
| 14. SB 990-Champion | 20. SB 716-Loudon, et al |
| 15. SB 1103-Gibbons | 21. SB 1059-Engler, with SCS |
| 16. SB 915-Ridgeway | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SBs 712 & 882-Gibbons and Rupp, with SCS | SB 822-Shoemyer |
| SBs 714, 933, 899 & 758-Loudon and
Gibbons, with SCS | SBs 840 & 857-Engler, with SCS |
| SB 717-Kennedy and Shields | SB 846-Rupp, with SCS |
| SB 726-Shields, with SCS | SB 865-Rupp and Gibbons, with SCS |
| SB 729-Griesheimer, with SCS | SB 873-Graham, with SCS |
| SBs 747 & 736-Ridgeway and Gibbons, with
SCS & SS for SCS (pending) | SB 898-Clemens, with SCS |
| SB 749-Ridgeway, with SCS | SB 907-Engler and Gibbons, with SCS |
| SB 756-Engler and Rupp, with SCS (pending) | SBs 909, 954, 934 & 1003-Engler, with SCS |
| SB 759-Stouffer, with SCS & SA 1 (pending) | SB 929-Green and Callahan, with SCS |
| SBs 761 & 774-Stouffer, with SCS | SBs 930 & 947-Stouffer, with SCS |
| SB 764-Wilson, et al, with SA 2 (pending) | SBs 993 & 770-Crowell, with SCS |
| SB 768-Rupp and Gibbons, with SCS | SB 996-Crowell, with SCS |
| SB 776-Justus and Koster, with SCS | SB 997-Crowell |
| SB 809-Stouffer, with SCS | SB 1007-Loudon |
| SB 821-Shoemyer, with SCS (pending) | SB 1058-Mayer |
| | SJR 34 & 30-Crowell and Coleman, with SCS |

CONSENT CALENDAR

Senate Bills

Reported 2/28

- | | |
|--------------------------|-------------|
| SB 885-Graham | SB 925-Days |
| SB 1009-Loudon, with SCS | |

✓