

Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

SEVENTH DAY—THURSDAY, JULY 6, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

SPECIAL MESSAGE

TO ALL MEMBERS OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

WHEREAS, by my proclamation dated June 7, 2017, I convened the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and

WHEREAS, it has come to my attention that additional extraordinary matters need to be considered during this Second Extra Session; and

WHEREAS, the said Second Extra Session of the General Assembly has convened in the City of Jefferson on June 12, 2017, pursuant to my call.

NOW THEREFORE, I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated in said Proclamation for consideration by the General Assembly as follows:

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specially designated and limited hereinafter as follows:

1. To amend section 197.200, RSMo, to define “Abortion Facility” or “Abortion Facilities;”
2. To amend section 197.200, RSMo, by deleting the portion of the definition of “ambulatory surgical center” that includes “any establishment operated for the purpose of performing or inducing any second or third-trimester abortions or five or more first-trimester abortions per month;”

3. To amend chapters 188, 191, 192, 197, and 595 so that each and every applicable section and subsection applies to “Abortion Facility” or “Abortion Facilities;”
4. To amend section 197.215, RSMo, to require that “Abortion Facilities” provide affirmative evidence that each person performing an abortion is a physician currently licensed to practice in Missouri;
5. To add a new subsection to § 197.225, RSMo, that authorizes the Department of Health and Senior Services to adopt rules, regulations, and standards regarding patient health and safety that apply to ambulatory surgical centers and, separately, that apply to “Abortion Facility” or “Abortion Facilities;”
6. To add a new subsection to § 197.225, RSMo, that requires “Abortion Facilities” to maintain a written protocol for managing medical emergencies and the transfer of patients requiring further emergency care to a hospital within a reasonable distance from the “Abortion Facility;”
7. To amend section 197.287, RSMo, to require that all “Abortion Facilities” comply with the requirements of said section by July 1, 2018;
8. To add a new subsection to § 197.230, RSMo, that requires the Department of Health and Senior Services to annually inspect every “Abortion Facility” for safety and compliance with state law and to establish the requirements of such inspections and to make reports of such inspections publicly available;
9. To amend the definition of “nosocomial infection” in section 192.665, RSMo, to be defined according to the definition established by the federal Centers for Disease Control and Prevention;
10. To add a new section to chapter 188 that preempts a political subdivision from enacting a law or policy that adversely affects the operations, speech, or legal rights of a person or entity due to that person or entity’s view on abortion; acknowledges those legal rights; and establishes judicial mechanisms to protect those legal rights;
11. To add a new subsection to § 188.021, RSMo, that requires “Abortion Facilities” to submit to the Department of Health and Senior Services their plans for dealing with complications resulting from certain abortions, to obtain approval from the Department of Health and Senior Services of these complication plans; and, further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing these plans;
12. To amend sections 188.027.9 and 188.039.6, RSMo, to define “qualified professional” as a physician who has referred the woman to the physician who is to perform the abortion, or to an advance practice registered nurse engaged in a collaborative practice agreement with the physician who is to perform the abortion, as provided for in section 334.104, RSMo;
13. To amend section 188.027, RSMo, to require that the physician performing the abortion inform the woman seeking an abortion of the medical risks associated with the proposed abortion method;
14. To amend sections 188.027 and 188.039, RSMo, to apply to “the referring physician;”
15. To add a new section to chapter 574 that prohibits a person, while working in an “Abortion Facility,” from knowingly ordering, requesting, or attempting to prevent medical personnel or emergency services personnel from providing care to a patient in accordance with ordinary standards of care for reasons unrelated to that patient’s health or welfare and to create the offense of interference with medical assistance;
16. To add a new subsection to § 188.075, RSMo, that allows the Attorney General of Missouri to have concurrent original jurisdiction throughout the State, along with each prosecuting attorney and circuit

attorney within their respective jurisdictions, to prosecute violations of chapter 188, violations of any state law on the use of public funds for abortion, and violations of any state law that regulates an “Abortion Facility” or person performing or inducing abortion, including the offense of interference with medical assistance;

17. To amend section 188.047, RSMo, to modify the law relating to the requirement of pathological examinations and related reports, and further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing such examinations and reports;

18. To add a new section to chapter 188 protecting employees who disclose violations of applicable federal or state law related to chapter 188, and, further, authorizing the Department of Health and Senior Services to adopt rules, regulations, and standards regarding the implementation of such policies;

19. To add an Emergency Clause to all legislation enacted by the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and

20. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 5th day of July, 2017.

Eric R. Greitens
Governor

ATTEST:

John R. Ashcroft
Secretary of State

RESOLUTIONS

On behalf of Senator Hoskins, Senator Kehoe offered Senate Resolution No. 58, regarding Glenda Wilcox, Sedalia, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 59, regarding Team Titanium FRC 1986 and Lee’s Summit West High School, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 60, regarding Logan Smith, La Plata, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 61, regarding John Petersen, Rolla, which was adopted.

On behalf of Senators Riddle and Rowden, Senator Kehoe offered Senate Resolution No. 62, regarding the One Hundred Fiftieth Anniversary of Bethlehem Church, Centralia, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 63, regarding the death of Norbert Lee “KO” Cody, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 64, regarding the Fiftieth Wedding Anniversary of Lewis and Patty Olmstead, Green City, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 65, regarding the Sixtieth Wedding Anniversary of Dale and Lila Faulkner, Tarkio, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 66, regarding the Fiftieth Wedding Anniversary of Greg and Sharon Pottratz, Maysville, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 67, regarding the Fiftieth Wedding Anniversary of Joe and Catherine Barmann, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 68, regarding the Fiftieth Wedding Anniversary of James and Lana Coffman, Green City, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 69, regarding Sixtieth Wedding Anniversary of Jerry and Phyllis Staples, Milan, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 70, regarding Seventy-fifth Wedding Anniversary of Merle and Mary Ellen White, Hopkins, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 71, regarding the Fiftieth Wedding Anniversary of John and Diane Ford, St. Joseph, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 72, regarding the Fiftieth Wedding Anniversary of John and Barbara Tillery, Faucett, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 73, regarding the Twenty-fifth Wedding Anniversary of Paul and Donna Manly, Rushville, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 74, regarding the Fiftieth Wedding Anniversary of Dave and Ginger Maudlin, St. Joseph, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 75, regarding the Fiftieth Wedding Anniversary of Chuck and Sharon Beery, Gower, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 76, regarding the Fiftieth Wedding Anniversary of Lloyd and Carol Waller, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 77, regarding the Fiftieth Wedding Anniversary of Ted and Linda Stoddard, St. Joseph, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, July 14, 2017.

SENATE CALENDAR

EIGHTH DAY—FRIDAY, JULY 14, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

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