



State Senator

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District 14



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First Bills Passed by Committee

Senate Laptop Debate Stalls

The Missouri Senate continued making swift legislative progress this week as the first bills were passed by their respective committees.

The first bill to be introduced in the Senate for the 2009 legislative session, [Senate Bill 1](#), sponsored by Sen. Delbert Scott (R-Lowry City), was passed by the [Senate Financial and Governmental Organizations and Elections Committee](#). This legislation is the result of recommendations by the [Joint Committee on Pre-need Funeral Contracts](#), which was established in 2008 to study the consumer and economic impact of the pre-need funeral contract industry in Missouri. Sen. Scott's bill establishes licensing and contract requirements for pre-need funeral contract sellers, providers and seller agents.

Last week the Missouri Supreme Court chief justice urged the Legislature to address the public defender shortage during her State of the Judiciary address. [Senate Bill 37](#), sponsored by Sen. Jack Goodman (R-Mt. Vernon), makes several changes to the current public defender system and seeks to relieve public defenders dealing with overwhelming caseloads.

The legislation was passed by the [Senate General Laws Committee](#) this week. Another bill sponsored by Sen. Goodman, [SB 36](#), was passed by the [Senate Judiciary Committee](#). This bill makes the penalty for forcible rape or sodomy of a child under the age of 12 life imprisonment without eligibility for probation or parole at any time.

Sen. Luann Ridgeway (R-Smithville) is again working to pass a bill prohibiting the

use or possession of alcoholic beverage vaporizers, devices that allow alcohol to be inhaled and directly enter the bloodstream. [Senate Bill 26](#), similar to the bill Sen. Ridgeway sponsored last year, was passed by the Senate General Laws Committee on Tuesday.

Committee hearings also continued as lawmakers work to bring legislation to the floor for discussion by the full Senate.

[Senate Bill 4](#), sponsored by Senate Leader Charlie Shields (R-St. Joseph), was heard in the [Senate Health, Mental Health, Seniors and Families Committee](#). The legislation establishes a quality rating system for early childhood and before-and after-school programs licensed by the Department of Health and Senior Services that operate in the state, allowing parents to more quantifiably select high-quality programs for their children.

Legislation sponsored by Sen. Jeff Smith (D-St. Louis), [Senate Bill 141](#), was heard by the Senate General Laws Committee this week. The bill protects men from false paternity claims by allowing paternity to be challenged at any time if new evidence, such as a DNA test, is presented.

[Senate Bill 65](#), sponsored by Sen. Scott T. Rupp (R-Wentzville), received a hearing in the [Senate Commerce, Consumer Protection, Energy and the Environment Committee](#). The bill expands the state's No-Call list by adding cell phone numbers and prohibiting solicitations via fax, text-message or graphic imaging. It also prohibits automated calls to anyone on the No-Call list, and requires a "paid for by" statement be tagged on political phone calls.

The Senate Judiciary Committee heard several bills this week, including [Senate Bill 2](#), sponsored by Sen. Scott, which prohibits behaviors relating to excessive alcohol consumption on Missouri's rivers. The committee also held a hearing on [SB 81](#), sponsored by Sen. Yvonne Wilson (D-Kansas City), which criminalizes displaying a noose for the purposes of intimidation. If passed, this act would constitute a Class A misdemeanor for the first offense and a Class D felony for a second offense.

Senate Bills 11 and 29, both relating to agriculturally derived fuels, but falling on opposite sides of the debate, were heard in the [Senate Agriculture, Food Production and](#)

[Outdoor Resources Committee](#). [Senate Bill 11](#), sponsored by Sen. Matt Bartle (R-Lee's Summit), repeals the ethanol standard passed by the Legislature in 2006 and implemented state-wide in January 2008. [Senate Bill 29](#), sponsored by Sen. Bill Stouffer (R-Napton), requires that all diesel fuel sold in Missouri after a certain date be 5 percent biodiesel-blended fuel.

Receiving a hearing in the [Senate Transportation Committee](#) was [SB 130](#), sponsored by Sen. Ryan McKenna (D-Crystal City). The bill prohibits drivers from sending text messages or electronic messages while operating a vehicle on Missouri highways, except in emergency situations.

In other news, the Missouri Senate will forgo laptops in the chamber for at least another session. Debate on [Senate Resolution 141](#), which would allow the use of laptops on the Senate floor, stalled and is not expected to be taken up again.

After last week's announcement by the governor that funding for many of the state's capital improvement projects for higher education will or may be cut, Sen. Wes Shoemyer (D-Clarence) proposed [Senate Concurrent Resolution 15](#). The resolution urges the governor and Office of Administration to deposit any economic stimulus money received from the federal government into the Lewis and Clark Discovery Fund for capital improvements at Missouri's public colleges and universities.

As debate over an economic stimulus package continues in Washington, [the Senate Select Committee on Oversight of Federal Stimulus Plan](#) met on Wednesday for a conference call with individuals from the National Conference of State Legislatures who updated them on the status of the plan. Representatives from the Missouri Office of Administration, Division of Budget and Planning and MoDOT were on hand to testify before the committee.

Also, in a bipartisan effort, sponsor Sen. Gary Nodler (R-Joplin) and co-sponsor Sen. Joan Bray (D-St. Louis) introduced [SB 313](#), a bill that creates two separate funds within the state treasury to receive and retain any funds provided under the federal economic stimulus plan. The purpose of the bill is to provide transparency and accountability to the taxpayer for how the funds are spent.

Money the state receives from the temporary increase in Medicaid reimbursements

will be deposited into the “Federal Budget Stabilization Fund,” while all other funds received under the act will be deposited into the “Federal Stimulus Fund.” Senate Bill 313 was referred to the [Senate Appropriations Committee](#).

The Missouri Senate will reconvene at 4 p.m. Monday, February 9, 2009. The First Regular Session of the 95th Missouri General Assembly will run through Friday, May 15, 2009.

If you have comments or questions about this week’s column or any other matter involving state government, please feel free to contact my office at (573) 751-4106.

*Senator Rita Heard Days represents a portion of
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