

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SECOND DAY—THURSDAY, APRIL 29, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

C.I. Scholfield wrote: "I like to be able to think of people who deeply interest me in their homes. Downtown we are all alike, but at home we are just ourselves...At home we are at ease; we throw off care; we are understood, and loved, and welcome."

Let us pray. Gracious and Heavenly Father: Watch over our traveling home and help us be at ease with those we love. May we be thankful for the gifts of sharing and politeness, of putting others' interest ahead of our own and the ability to recognize of gifts of others. And Bless us and unite us with those we love in the bonds and depths of Your love. In Your 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.

Senator DePasco announced that photographers from KRCG-TV and the Associated Press had been given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton

Staples Steelman Stoll Westfall
Wiggins Yeckel—34

Absent with leave—Senators—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wiggins offered Senate Resolution No. 750, regarding the death of Mrs. Margaret Hutsell Baldock, Kansas City, which was adopted.

Senator Wiggins offered Senate Resolution No. 751, regarding the death of Mrs. Erma L. Varner, Kansas City, which was adopted.

Senator Clay offered Senate Resolution No. 752, regarding the death of Lloyd Arthur Smith, St. Louis, which was adopted.

Senator Rohrbach offered Senate Resolution No. 753, regarding Vance Keaton, Boonville, which was adopted.

Senator Johnson offered Senate Resolution No. 754, regarding Laura Rotterman, St. Joseph, which was adopted.

Senator Schneider offered Senate Resolution No. 755, regarding Carolyn Rybicki, Florissant, which was adopted.

Senator Ehlmann offered Senate Resolution No. 756, regarding Coach Steve Stahl, St. Charles, which was adopted.

Senator Wiggins offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 757

WHEREAS, the members of the Missouri Senate have been pleased to learn that Ted Cramer, premier disc jockey, and renowned country music expert for WDAF, 61 Country, Kansas City, has been elected to the Country Music Disc Jockey Hall of Fame, and will be

inducted into that prestigious group at a ceremony in Nashville, Tennessee, on June 24th; and

WHEREAS, Ted Cramer has for many years been one of the most active ambassadors for the country music industry in the United States; and

WHEREAS, Ted Cramer's career began 45 years ago in Kansas City, during which career he has been a top-rated air personality and for forty of those years has also been a program director; and

WHEREAS, Ted Cramer was one of the first program directors to develop the modern country format pioneering the country-politan format; and

WHEREAS, Ted Cramer has always coached and developed those persons who have worked in his program departments to reach higher professional levels in the industry, and many of his co-workers are in key positions in the radio business across the United States today; and

WHEREAS, Ted Cramer, a man of total compassion and concern for his fellow human beings, has raised hundreds of thousands of dollars for charity during personal appearances and planned events, has been an active CMA member and supporter during his country career, and was one of the earliest active supporters of the County Radio Seminars and has served on its Agenda Committee; and

WHEREAS, Ted Cramer has programmed and performed on some of the most important country stations including the most famous of all, Kansas City's WDAF, 61 Country, and has continued wherever he has been to use every living moment to be an active ambassador for the country music industry; and

WHEREAS, Ted Cramer has been a long personal friend of our colleague, the current Senator from the 10th District, Senator Harry Wiggins, an admirer of Ted Cramer and a friend of country music, who is anxious to honor his old friend in the annals of the history of Missouri by this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, pause in their deliberations to salute the outstanding career of Ted Cramer in the field of country music, express their congratulations on his magnificent achievement in being elected to the Country Music Disc Jockey Hall of Fame and extend to Ted Cramer, his family and countless fans, many long years of continued good health, success and happiness, as well as continued pleasure and enjoyment with country music; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for Ted Cramer, Radio Station WDAF, 61 Country and the Country Music Disc Jockey Hall of Fame, Nashville, Tennessee.

Senator Scott assumed the Chair.

Senator Wiggins offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 758

WHEREAS, the members of the Missouri Senate have been pleased to learn that Johnny Damon, slugging outfielder for the Kansas City Royals, and his wife, have become the proud parents of twins, Jackson Scott and Madelyn Layne; and

WHEREAS, in special recognition of this important occasion, the Missouri Senate, on the motion of Senator Harry Wiggins of the 10th District, Kansas City, a friend of Johnny Damon is pleased to name Jackson Scott Damon and Madelyn Layne Damon Honorary Pages for the Day, perhaps the youngest Honorary pages ever selected by the Senate; and

WHEREAS, Johnny Damon, who has visited the Senate as a guest of Senator Wiggins, is a fitting father figure as a national sports hero, was himself born, November 5, 1973, at Fort Riley, Kansas, and now resides in Overland Park, Kansas; and

WHEREAS, Johnny Damon married his charming wife, Angela, and was acquired by the Royals in the Free Agent Draft of 1992; and

WHEREAS, in 1998, Johnny Damon put together his best season in the big leagues, hitting .277, with career highs in home runs (18), scored (104), RBI's (66), doubles (30), triples (10), extra base hits (56), and stolen bases (26); and

WHEREAS, Johnny and Angela Damon are the All American couple in Baseball and will proudly become outstanding All American parents of the twins;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate pause in their deliberations to congratulate Johnny and Angela Damon on the birth of their twins, express their appreciation for Johnny's outstanding contribution as an all-star player for the Kansas City Royals and for his contributions to others, as a human being, and extend to Johnny and Angela Damon and his family, very best wishes for many long years continued good health, success and happiness in baseball and in life; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for Johnny and Angela Damon and the Kansas City Royals.

Senator Rohrbach offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 759

WHEREAS, the members of the Missouri Senate fully recognize the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, this legislative body has a long tradition of rendering assistance to those organizations which sponsor such projects in the interest of our young people; and

WHEREAS, the Missouri 4-H Citizenship Workshop is sponsored by the University Extension 4-H Youth Development Programs; and

WHEREAS, the Missouri 4-H Citizenship Workshop program provides students unique insight into the day-to-day operations of our state government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninetieth General Assembly, unanimously grant permission to the University Extension 4-H Youth Development Program to use the Senate Chambers for the 4-H Citizenship Workshop on Monday, June 28, 1999, through Wednesday, June 30, 1999.

MESSAGES FROM THE HOUSE

The following messages were 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 Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HB 789**: Representatives Backer, Days, Williams (159), Bartlesmeyer, Berkstresser.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 294**.

With House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 294, Page 1, Section A, Line 3, by inserting the following after all of said lines:

"301.141 1. As used in this section, the following terms mean:

(1) "Commission", the Missouri commission for the deaf, established by section 161.400, RSMo;

(2) "Deaf person", any person who, because of hearing loss, is not able to discriminate speech when spoken in a normal conversation tone regardless of the use of amplification devices;

(3) "Hearing impaired person", any person who, because of hearing loss, has a diminished capacity to discriminate speech when spoken in a normal conversational tone;

(4) "J88", a notation on a driver's license that indicates the person is a deaf or hearing impaired person who uses alternative communication.

2. The commission shall design and issue a removable windshield placard that may be hung from the rearview mirror of a motor vehicle operated by a deaf or hearing impaired person and a decal which may be affixed to the lower left corner of the rear window of a motor vehicle.

3. Any resident of this state who is a deaf or hearing impaired person may apply to the commission for the placard and the decal described in subsection 2 of this section. The commission, by rule, may establish criteria for issuance and distribution of the placards and decals, such as requiring an applicant to submit certain medical proof of deafness or hearing impairment. The fee for a placard or a decal shall not exceed two dollars.

4. The commission shall promote public awareness of the meaning of the placards and the decals prior to or in conjunction with the issuance thereof.

5. Any resident of this state who is a deaf or hearing impaired person may apply to the Department of Revenue to have the notation "J88" placed on the person's driver's license. The Department of Revenue, by rule, may establish the cost and criteria for placement of the "J88" notation, such as requiring an applicant to submit certain medical proof of deafness or hearing impairment.

6. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 294, Page 2, Section 302.020, Line 34, by inserting after all of said line the following:

"302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the

licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 [or 5] of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 [or 5] of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. [The director of revenue shall issue a commercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits the use of identification numbers by members as being contrary to its religious tenets.

5.] The director of revenue shall issue a **commercial or** noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

[6.] 5. The director of revenue shall issue a license without the photograph to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a [certified] statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits photographs of members as being contrary to its religious tenets. The license shall state thereon that no photograph is required because of the religious affiliation of the licensee. The director of revenue shall establish guidelines and furnish to each circuit court such forms as the director deems necessary to comply with this subsection. The circuit court shall not charge or receive any fee or court cost for the performance of any duty or act pursuant to this subsection.

[7.] 6. The department of revenue may issue a temporary license without the photograph to out-of-state applicants and members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

[8.] 7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information as is on the driver's license upon payment of seven dollars and fifty cents if the applicant is under the age of sixty-five. An applicant who is sixty-five years of age or older may purchase a nondriver's license card without a photograph for one dollar or a nondriver's license card with a photograph for seven dollars and fifty cents. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

[9.] 8. No rule or portion of a rule promulgated [under] **pursuant to** the authority of this chapter shall become effective [until it has been approved by the joint committee on administrative rules in accordance with the procedures provided herein, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided herein.

10. Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

11. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

12. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

(1) An absence of statutory authority for the proposed rule;

(2) An emergency relating to public health, safety or welfare;

(3) The proposed rule is in conflict with state law;

(4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

13. If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

14. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratifies the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

15. Upon adoption of a rule as provided herein, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the constitution, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.] **unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 294, Page 3, Line 14, Section 302.321, by inserting after all of said line the following:

"302.341. If a Missouri resident charged with a moving traffic violation of this state or any

county or municipality of this state with a population of at least one thousand fails to dispose of the charges of which he is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until **the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or** satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section. If any city, town or village receives more than forty-five percent of its total annual revenue from fines for traffic violations occurring on state highways, all revenues from such violations in excess of forty-five percent of the total annual revenue of the city, town or

village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed."; and

Further amend said bill by amending the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 294, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "301.191,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 301.191, 302.020 and 302.321, RSMo Supp. 1998, are repealed and three new sections enacted in lieu thereof, to be known as sections 301.191, 302.020 and"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

"301.191. 1. When an application is made for an original Missouri certificate of ownership for a previously untitled trailer sixteen feet or more in length which is stated to be homemade, the applicant shall present a certificate of inspection as provided in this section. No certificate of ownership shall be issued for such a homemade trailer if no certificate of inspection is presented.

2. As used in this section, "homemade" means made by a person who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a statement of origin.

3. Every person constructing a homemade trailer sixteen feet or more in length shall obtain an inspection from the sheriff of his or her county of residence **or from the Missouri state highway patrol** prior to applying for a certificate of ownership. If the person constructing the trailer sells or transfers the trailer prior to applying for a certificate of ownership, the sheriff's **or the**

Missouri state highway patrol's certificate of inspection shall be transferred with the trailer.

4. A fee of ten dollars shall be paid for the inspection. **If the inspection is completed by the sheriff**, the proceeds from the inspections shall be deposited by the sheriff within thirty days into the county law enforcement fund if one exists; otherwise into the county general revenue fund. **If the inspection is completed by the Missouri state highway patrol, the applicant shall pay the ten dollar inspection fee to the director of revenue at the time of application for a certificate of ownership for the homemade trailer. The fee shall be deposited in the state treasury to the credit of the state highway fund.**

5. The sheriff or **Missouri state highway patrol** shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff or **Missouri state highway patrol** may request the owner to provide any documents or other evidence showing that the trailer was homemade. When a trailer is certified **by the sheriff**, the sheriff [shall] **may** stamp a permanent identifying number in **the tongue of the frame** [in a manner designated by the director of revenue]. The certificate of inspection shall be on a form designed and provided by the director of revenue.

6. **Upon presentation of the certificate of inspection and all applicable documents and fees including the identification plate fee provided in section 301.380, the director of revenue shall issue a readily distinguishable manufacturers' identifying number plate. The identification number plate shall be affixed to the tongue of the trailer's frame.**

7. The sheriff or **Missouri state highway patrol** may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff or **Missouri state highway patrol** may hold the trailer as evidence while an investigation is conducted. The trailer shall be returned if no related criminal charges are filed within thirty days or when the charges are later dropped or dismissed or when the owner is acquitted."

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 294, Page 3, Section

302.321, Line 14, by inserting after said line the following:

"Section 1. If a motorcycle operator or passenger obtains a head injury while riding on a motorcycle without a helmet, then such operator or passenger must reimburse the state of Missouri for any medical treatment provided with state funds."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 294, Page 1, In the Title, Line 2, by deleting the phrase "and 302.321" and inserting in lieu thereof the phrase ", 302.302, 302.321, 304.012 and 577.020"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "two" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, In the Title, Lines 3 and 4, by deleting the phrase "with an emergency clause" and inserting in lieu thereof the phrase "with penalty provisions, an effective date and an emergency clause for certain sections"; and

Further amend said bill, Page 3, Section B, Line 5, by inserting after all of said line the following:

"Section C. Sections 302.302, 304.012 and 577.020, RSMo Supp. 1998, are repealed and three new sections enacted in lieu thereof, to be known as sections 302.302, 304.012 and 577.020, to read as follows:

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- (1) Any moving violation of a state law or county or municipal traffic ordinance not listed in this section, other than a violation of vehicle equipment provisions 2 points (except any violation of municipal stop sign ordinance where no accident is involved ... 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo 12 points

In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving

In violation of subsection 2 of section 304.012, RSMo 6 points

In violation of subsection 4 of section 304.016, RSMo 4 points

In violation of a county or municipal ordinance 2 points

(5) Operating without a license after suspension or revocation and prior to restoration of operating privileges which have been suspended or revoked 12 points

(6) Obtaining a license by misrepresentation 12 points

(7) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs 8 points

(8) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of ten-hundredths of one percent or more by weight 12 points

(9) For the first conviction for driving with blood alcohol content ten-hundredths of one percent or more by weight
In violation of state law 8 points

In violation of a county or municipal ordinance 8 points

(10) Any felony involving the use of a motor vehicle 12 points

(11) Knowingly permitting unlicensed operator to operate a motor vehicle 4 points

2. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subsection 1 of this section and if found to be warranted and certified by the reporting court.

3. When any of the acts listed in subdivision (2), (3), (4) or (7) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (7), (8) and (9) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (7), (8) and (9) of subsection 1 of this section for offenses arising out of the same occurrence.

4. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle rider training course approved by the director of the department of public safety, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 2 of this section. For the purposes of this subsection, the driver improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the

operation of a motorcycle, the program shall meet the standards established by the director of the department of public safety pursuant to sections 302.133 to 302.138. The completion of a driver improvement program or a motorcycle rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver improvement program or motorcycle rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.

304.012. 1. Every person operating a motor vehicle on the roads and highways of this state shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor, unless an accident is involved **or there are aggravating circumstances** then it shall be a class A misdemeanor. **For the purposes of this section, the term "aggravating circumstances" shall be defined as circumstances in which any person suffers death or serious physical injury, as defined in section 565.002, RSMo, as a result of the violation of this section.**

577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

(1) If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed

while the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(2) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(3) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person has committed a violation of the traffic laws of the state, or any political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that such person has a blood alcohol content of two-hundredths of one percent or greater; [or]

(4) If the person is under the age of twenty-one, has been stopped at a sobriety checkpoint or roadblock and the law enforcement officer has reasonable grounds to believe that such person has a blood alcohol content of two-hundredths of one percent or greater[.]; **or**

(5) If the person, while operating a motor vehicle, has been involved in a motor vehicle collision which resulted in a fatality or a readily apparent serious physical injury as defined in section 565.002, RSMo, and has been arrested as evidenced by the issuance of a Uniform Traffic Ticket for the violation of any state law or county or municipal ordinance with the exception of equipment violations contained in chapter 306, RSMo, or similar provisions contained in county or municipal ordinances.

The test shall be administered at the direction of the law enforcement officer whenever the person has been arrested or stopped for any reason.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of sections 577.020 to

577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to [him] **such person**.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.

Section D. Section C of this act shall become effective on January 1, 2000."

HOUSE AMENDMENT NO. 7

Amend Senate Bill No. 294, Page 3, Section 302.321, Line 14, by inserting after said line the following:

"Section 1. Brakes may be inspected for

safety by means of visual inspection or computerized brake testing pursuant to the inspection required in 307.365, RSMo."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 15—Appropriations.

HB 16—Appropriations.

HCS for HB 18—Appropriations.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules and Resolutions, to which was referred **HCS for SB 276**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Quick assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS for SB 276**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Scott assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Quick, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Guber-

natorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Paul W. Foster, as a public member of the Board of Geologist Registration;

Also,

Jeanette E. Griffin, as a member of the State Board of Barber Examiners;

Also,

Wilson J. Winn, as a member of the Elevator Safety Board;

Also,

Angela S. Fowler-Allen, Gerald M. Shechter, Ernest M. Simon, Delores A. Jeffries, Gary S. Wasserman, Sandra S. Mazzocco, Donald M. Thomas, Timothy J. Klotz, F. Leland McClure and Calvin W. Call, as members of the Advisory Committee on Lead Poisoning;

Also,

Sheila Greenbaum, as a member of the Missouri State Public Employees Deferred Compensation Commission;

Also,

Beverly K. Woodhurst and Robert P. O'Dell, as members of the Missouri Planning Council for Developmental Disabilities;

Also,

Timothy J. Warren, as a member of the Hazardous Waste Management Commission;

Also,

Douglas W. Guthals, as a member of the Missouri Health Facilities Review Committee;

Also,

Homer W. Miller, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists;

Also,

Dale D. Turvey, as a member of the Missouri State Employees Voluntary Life Insurance

Commission;

Also,

Lois L. Vander Waerd, as a member of the State Board of Mediation;

Also,

Charles Donn James, as a member of the State Board of Embalmers and Funeral Directors.

Senator Quick requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Quick moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator DePasco requested unanimous consent of the Senate to allow the Appropriations Committee conferees to meet in the back gallery, while the Senate is in session, which request was granted.

President Pro Tem Quick assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator House moved that **HS** for **HCS** for **HBs 427, 40, 196 and 404**, with **SCS, SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Johnson assumed the Chair.

Senator Maxwell offered **SSA 1** for **SA 1**:

**SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Section A, Line 1, by deleting all of said act and by inserting in lieu thereof the following:

"Section A. Sections 188.015, 188.030, 188.035, 188.075 and 565.021, RSMo 1994, are repealed and six new sections enacted in lieu thereof, to be known as sections 188.015, 188.030, 188.035, 188.041, 188.075 and 565.021, to read as follows:

188.015. [Unless the language or context clearly indicates a different meaning is intended, the following words or phrases for the purposes of sections 188.010 to 188.130 shall be given the meaning ascribed to them] **As used in this chapter, the following terms shall mean:**

(1) "Abortion", the intentional destruction of the life of an embryo or fetus in his or her mother's womb or the intentional termination of the pregnancy of a mother with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child;

(2) "Abortion facility", a clinic, physician's office, or any other place or facility in which abortions are performed other than a hospital;

(3) "Conception", the fertilization of the ovum of a female by a sperm of a male;

(4) "Gestational age", length of pregnancy as measured from the first day of the woman's last menstrual period;

(5) **"Partial birth abortion", only the termination of pregnancy by partially vaginally delivering a viable living intact fetus, purposefully inserting an instrument into the skull of the intact fetus, and utilizing a suction device to remove the skull contents;**

(6) "Physician", any person licensed to practice medicine in this state by the state board of registration of the healing arts;

(7) **"Risk to a woman's health", any condition, which if left untreated, could progress to such a point that death or permanent injury could result, but does not mean a condition which creates a negligible threat to life or health or a significant threat of only transient health problems;**

[(6)] (8) "Unborn child", the offspring of human beings from the moment of conception until birth and at every stage of its biological development, including the human conceptus, zygote, morula, blastocyst, embryo, and fetus;

[(7)] (9) "Viability", that stage of fetal development when the life of the unborn child may be continued indefinitely outside the womb by natural or artificial life-supportive systems.

Viability shall be determined by the physician, based upon his own best clinical judgment. The physician shall determine whether, based on the particular facts of a woman's pregnancy that are known to him, and in light of medical technology and information reasonably available to him, there is a realistic possibility that the life of the unborn child may be continued indefinitely outside the womb by natural or artificial life supportive systems.

188.030. 1. No abortion of a viable unborn child shall be performed unless necessary to preserve the life or health of the woman. Before a physician may perform an abortion upon a pregnant woman after such time as her unborn child has become viable, such physician shall first certify in writing that the abortion is necessary to preserve the life or health of the woman and shall further certify in writing the medical indications for such abortion and the probable health consequences.

2. Any physician who performs an abortion upon a woman carrying a viable unborn child shall utilize the available method or technique of abortion most likely to preserve the life and health of the unborn child. In cases where the method or technique of abortion which would most likely preserve the life and health of the unborn child would present a greater risk to the life and health of the woman than another available method or technique, the physician may utilize such other method or technique. In all cases where the physician performs an abortion upon a viable unborn child, the physician shall certify in writing the available method or techniques considered and the reasons for choosing the method or technique employed.

3. An abortion of a viable unborn child shall be performed or induced only when there is in attendance a physician other than the physician performing or inducing the abortion who shall take control of and provide immediate medical care for a child born as a result of the abortion. During the performance of the abortion, the physician performing it, and subsequent to the abortion, the **second** physician required by this section to be in attendance, shall take all reasonable steps in keeping with good medical practice, consistent

with the procedure used, to preserve the life and health of the viable unborn child: *provided that it does not pose an increased risk to the life or health of the woman.*

188.035. Whoever, with intent to do so, shall take the life of a child aborted alive[, shall be] is guilty of murder [of] **in** the second degree.

188.041. 1. After viability has been determined pursuant to subsection 9 of section 188.015, no person shall knowingly terminate a pregnancy by using the dilation and extraction procedure of partially vaginally delivering a viable living intact fetus, purposefully inserting an instrument into the skull of the intact fetus, and utilizing a suction device to remove the skull contents if there is any other available abortion procedure which would not pose a greater risk to the life or health of the woman, as defined by subdivision (7) of section 188.015.

2. Notwithstanding any other provision of the law to the contrary, a woman upon whom a partial birth abortion is performed shall not be prosecuted pursuant to this section or any other state law which would otherwise impose criminal responsibility on such woman for the performance of a partial birth abortion.

3. Any person who knowingly violates the provisions of subsection 1 of this section is guilty of murder in the second degree pursuant to section 565.021, RSMo.

188.075. Any person who contrary to the provisions of sections 188.010 to 188.085 knowingly performs or aids in the performance of any abortion or knowingly fails to perform any action required by sections 188.010 to 188.085 [shall be] **is guilty of a class A misdemeanor, unless a different penalty is specifically provided**, and, upon conviction, shall be punished as provided by law.

565.021. 1. A person commits the crime of murder in the second degree if he:

(1) Knowingly causes the death of another person or, with the purpose of causing serious physical injury to another person, causes the death of another person; or

(2) Commits or attempts to commit any felony, and, in the perpetration or the attempted perpetration of such felony or in the flight from the perpetration or attempted perpetration of such felony, another person is killed as a result of the perpetration or attempted perpetration of such felony or immediate flight from the perpetration of such felony or attempted perpetration of such felony; or

(3) Knowingly performs a procedure prohibited in section 188.041, RSMo.

2. Murder in the second degree is a class A felony, and the punishment for second degree murder shall be in addition to the punishment for commission of a related felony or attempted felony, other than murder or manslaughter.

3. Notwithstanding section 556.046, RSMo, and section 565.025, in any charge of murder in the second degree, the jury shall be instructed on, or, in a jury-waived trial, the judge shall consider, any and all of the subdivisions in subsection 1 of this section which are supported by the evidence and requested by one of the parties or the court."; and

Further amend said bill by amending the title accordingly.

Senator Maxwell moved that the above substitute amendment be adopted.

Senator Maxwell offered **SA 1 to SSA 1 for SA 1**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 1**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Section 188.015, Line 11, by striking the word "chapter" and inserting in lieu thereof, the word "act"; and

Further amend said amendment, page 2, Section 188.015(5), line 1 of said subdivision by striking the word "only"; and

Further amend said amendment, page 3,

Section 188.041, lines 1 and 2 of said section, by striking the following: "pursuant to subsection 9 of Section 188.015,".

Senator Maxwell moved that the above amendment be adopted.

President Pro Tem Quick assumed the Chair.

Senator Johnson assumed the Chair.

Senator Mathewson requested unanimous consent of the Senate that the Appropriations Committee conferees meeting in the back gallery be counted toward a quorum, which request was denied.

President Wilson assumed the Chair.

Senator Johnson assumed the Chair.

Senator Maxwell moved that SA 1 to SSA 1 for SA 1 be adopted, which motion prevailed.

SSA 1 for SA 1, as amended, was again taken up.

Senator Mathewson assumed the Chair.

President Pro Tem Quick assumed the Chair.

Senator Johnson assumed the Chair.

Senator Mathewson assumed the Chair.

Senator Johnson assumed the Chair.

Senator DePasco requested a quorum be established by roll call.

On roll call the following Senators were present:

Present—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Stelman	Stoll	Westfall
Wiggins	Yeckel—30		

Absent—Senator Ehlmann—1

Absent with leave—Senators

Banks	Mueller	Staples—3
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Senator Maxwell moved that SSA 1 for SA 1, as amended, be adopted and requested a roll call vote be taken. He was joined in his request by Senators Howard, House, Caskey and Schneider.

SSA 1 for SA 1, as amended, failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Clay	Goode
Howard	Jacob	Mathewson	Maxwell
Quick	Sims	Singleton—11	

NAYS—Senators

Bentley	Childers	DePasco	Ehlmann
Flotron	Graves	House	Johnson
Kenney	Kinder	Klarich	Rohrbach
Russell	Schneider	Scott	Stelman
Stoll	Westfall	Wiggins	Yeckel—20

Absent—Senators—None

Absent with leave—Senators

Banks	Mueller	Staples—3
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SA 1 was again taken up.

At the request of Senator Jacob, the above amendment was withdrawn.

President Pro Tem Quick assumed the Chair.

Senator Jacob offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.021, Line 7, by striking ";" and inserting after all of said line the following:

"565.300. 1. The sovereign people hereby find that, in accordance with current scientific evidence, medical terminology and practice, and decisions of the United States Supreme Court in Roe v. Wade and other cases:

(1) Pregnancy begins with conception as defined in section 188.015, RSMo, and ends when the process of birth begins;

(2) The process of birth begins when a living infant begins to exit the uterus or womb

by any means and ends when the child is fully delivered or expelled from the vagina or birth canal by any means;

(3) Birth is an irreversible process that, once begun, will inevitably result in the complete delivery or expulsion of a living infant;

(4) Even a living infant that is prematurely and artificially extracted from the uterus or womb into the vagina or birth canal by any means is a living infant;

(5) Scientifically, medically, and legally, a child in the process of birth is a living infant;

(6) The intentional killing of a living infant in the process of birth is infanticide;

(7) Abortion is the termination of a pregnancy by intentionally killing a living infant in the uterus or womb before the process of birth begins;

(8) Regulating infanticide is not regulating abortion, but rather, is proscribing infanticide by restricting killing the killing of a live infant who is in the process of birth, that is, who has exited by any means, at least in part, the uterus or womb and has entered by any means, at least in part, the vagina or birth canal;

(9) Although the United States Supreme Court has declared a right to choose an abortion to terminate a pregnancy, it has never held that there is a fundamental or constitutional right to kill a partially born infant, that is, a child in the process of birth;

(10) Because abortion is the termination of a pregnancy, a prohibition against killing a living infant in the process of birth does not implicate abortion jurisprudence;

(11) This section is not intended to stop any abortion performed to terminate a pregnancy, but is intended to stop the killing of a partially born living infant and to establish and maintain a clear and impenetrable barrier against partial birth infanticide.

2. As used in this section, the following terms mean:

(1) "Infanticide", the killing of an infant in

the process of birth by a person who deliberately and intentionally performs a procedure on the partially-born infant that the person knows will terminate the life of the infant and the procedure does terminate the life of the infant;

(2) "Partially born infant", a child in the process of birth;

(3) "Process of birth", the pregnancy has ended and the process of being born has begun, that is, the point in time has occurred when the maternal cervix has become dilated, the protective membrane of the amniotic sac has become ruptured, and any part or member of an infant child has passed from the uterus or womb beyond the plane of the cervical os.

3. It is a class A felony for a person to perform infanticide.

4. The provisions of this section shall not apply to infanticide performed to prevent the death of a mother where no other procedure, including the induction of labor or cesarean section, would suffice to prevent the death of the mother.

5. The provisions of this chapter shall not apply to any abortion performed to terminate a pregnancy, that is, any abortion performed in the uterus or womb prior to the point in time when the pregnancy has ended and the process of birth has begun, that is, any abortion performed in the uterus or womb prior to the point in time when the maternal cervix has become dilated, the protective membrane of the amniotic sac has become ruptured, and any part or member of a living infant has passed from the uterus or womb beyond the plane of the cervical os.

6. The provisions of this chapter shall to be liberally construed to effectuate the policies and purposes of this chapter. In the event of conflict between this chapter and any other provision of law, the provisions of this chapter shall govern.

7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or application of the provision to other persons or

circumstances is not affected.

Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at a special election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in November, 1999, pursuant to the laws and constitutional provisions of this state applicable to general elections, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise."; and

Further amend the title and enacting clause accordingly.

Senator Jacob moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators House, Quick, Schneider and Sims.

Senator Wiggins assumed the Chair.

Senators Ehlmann and Flotron offered **SA 1 to SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 4, Section B, Line 5, by deleting "1999" and inserting "2000".

Senator Ehlmann moved that the above amendment be adopted.

Senator Jacob requested a roll call vote be taken on the adoption of **SA 1 to SA 2** and was joined in his request by Senators Howard, Bland, House and Clay.

At the request of Senator Ehlmann, **SA 1 to SA 2** was withdrawn.

Senator Jacob moved that **SA 2** be adopted, which motion failed by the following vote:

YEAS—Senators

Bland	Clay	Howard	Jacob
Maxwell	Quick	Sims—7	

NAYS—Senators

Bentley	Caskey	Childers	DePasco
Ehlmann	Flotron	Graves	House
Johnson	Kenney	Kinder	Klarich
Mathewson	Rohrbach	Russell	Schneider
Scott	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—23	

Absent—Senators—None

Absent with leave—Senators

Banks	Goode	Mueller	Staples—4
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Senator House offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Section 565.300, Lines 10-11, by striking all of said lines; and

Further amend said bill, Page 2, Section 565.300, Line 1, by striking all of said line and inserting in lieu thereof the following:

"(2) "Living infant", a human child before, during or after birth who is under the age of one year after birth, and who:

(a) Breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; or

(b) Is not dead as determined pursuant to section 194.005, RSMo, relating to the determination of the occurrence of death;"; and

Further amend said bill, Page 2, Section 565.300, Line 15, by inserting after the word "born;" the following word "**or**"; and

Further amend said page and section, line 16, by striking "; or" and inserting in lieu thereof "."; and

Further amend said page and section, line 17, by striking all of said line; and

Further amend said bill, Page 2, Section 565.300, Lines 19-24, by striking all of said lines and inserting in lieu thereof the following:

"5. The provisions of this section shall not be construed to prevent a physician from using procedures consistent with the usual and customary standards of medical practice to save the life of the mother during pregnancy or birth or to save the life of the child, regardless of whether such procedures may unintentionally or indirectly result in the death of the mother or child.

6. The mother of the child killed shall not be subject to prosecution pursuant to this section."

Senator House moved that the above amendment be adopted.

Senator Mathewson assumed the Chair.

Senator Clay offered **SSA 1 for SA 3:**

**SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Section 565.300, Lines 4 to 11, and Page 2, Lines 1 to 18, by deleting all of said lines and inserting in lieu thereof the following:

"565.300. 1. As used in this section, "intact dilatation and extraction" means an abortion procedure containing all four of the following elements:

- (1) Deliberate dilatation of the cervix, usually over a sequence of days;**
- (2) Instrumental conversion of the fetus to a footling breech;**
- (3) Breech extraction of the body excepting the head; and**
- (4) Evacuation of the intracranial contents of a living fetus to effect vaginal delivery of a dead but otherwise intact fetus.**

2. A person is guilty of the crime of infanticide if such person knowingly and intentionally performs an intact dilatation and extraction of a fetus."; and

Further amend said bill, Page 2, Section 565.300, Line 19, by deleting the number "5." and

inserting in lieu thereof the number "3."

Senator Clay moved that the above substitute amendment be adopted.

Senator Johnson assumed the Chair.

Senator Jacob offered **SA 1 to SSA 1 for SA 3:**

**SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 3**

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Section 565.300, Lines 1 and 2, by striking all of said lines and insert in lieu thereof the following:

"565.300.1. This act applies to any procedure containing all four"; and

Further amend said amendment and section, page 2, lines 1-2, by striking the words "an intact dilatation and extraction of" and inserting in lieu thereof "**any procedure defined in subsection 1 of this section on**".

Senator Clay assumed the Chair.

Senator Jacob moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bland, Bentley, House and Sims.

SA 1 to SSA 1 for SA 3 failed of adoption by the following vote:

YEAS—Senators			
Bland	Clay	Jacob	Maxwell
Quick	Sims—6		
NAYS—Senators			
Caskey	Childers	DePasco	Ehlmann
Flotron	Graves	House	Johnson
Kenney	Kinder	Klarich	Mathewson
Rohrbach	Russell	Schneider	Scott
Singleton	Steelman	Stoll	Westfall
Wiggins	Yeckel—22		

Absent—Senator Bentley—1

Absent with leave—Senators

Banks Goode Howard Mueller
Staples—5

Senator Schneider assumed the Chair.

SSA 1 for **SA 3** was again taken up.

Senator Clay moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators House, Jacob, Kinder and Singleton.

SSA 1 for **SA 3** failed of adoption by the following vote:

YEAS—Senators

Bland Clay Jacob Maxwell
Sims—5

NAYS—Senators

Bentley Caskey Childers DePasco
Ehlmann Flotron Graves House
Johnson Kenney Kinder Klarich
Mathewson Rohrbach Russell Schneider
Scott Singleton Steelman Stoll
Westfall Wiggins Yeckel—23

Absent—Senator Quick—1

Absent with leave—Senators

Banks Goode Howard Mueller
Staples—5

SA 3 was again taken up.

At the request of Senator House, **SA 3** was withdrawn.

At the request of Senator House, **SS** for **SCS** for **HS** for **HCS** for **HBs 427, 40, 196** and **404** was withdrawn.

Senator House offered **SS No. 2** for **SCS** for **HS** for **HCS** for **HBs 427, 40, 196** and **404**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 427, 40, 196 & 404

An Act to amend chapter 565, RSMo, relating to offenses against the person by adding thereto one new section relating to infanticide, with a penalty provision.

Senator House moved that **SS No. 2** for **SCS** for **HS** for **HCS** for **HBs 427, 40, 196** and **404** be adopted.

Senator Wiggins assumed the Chair.

President Pro Tem Quick assumed the Chair.

Senator Maxwell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 2, Section 565.300, Line 17, by inserting at the end of said line the following: ";

(4) "Abortion" shall have the same meaning as the term is defined in section 188.015. (1)"; and

Further amend said bill, Section 565.300, Page 3, Line 4, by inserting after all of said line, the following:

"6. Nothing in this section shall be construed to prohibit any act not prohibited by chapter 188, RSMo."

Senator Maxwell moved that the above amendment be adopted.

At the request of Senator Maxwell, **SA 1** was withdrawn.

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300, Line 3, by inserting after the word "or" the following: **"intentionally or directly or"**.

Senator Maxwell moved that the above amendment be adopted.

Senator Johnson assumed the Chair.

Senator Schneider offered **SSA 1** for **SA 2**, which was read:

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

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300, Line 4, by adding the following:

"6. Nothing in this act shall prevent an abortion necessary to save the life of the mother."

Senator Schneider moved that the above substitute amendment be adopted.

At the request of Senator Schneider, **SSA 1** for **SA 2** was withdrawn.

SA 2 was again taken up.

President Pro Tem Quick assumed the Chair.

Senator Schneider offered **SSA 2** for **SA 2**:

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

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300.5., Line 2, by inserting after the word "child" a period "." and delete the balance of said line and strike lines 3 and 4.

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

Senator Mathewson assumed the Chair.

Senator Bland offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Section 565.300, Page 3, Line 4, by inserting after all of said line the following:

"6. The provisions of this section shall apply only to the second and third trimesters of pregnancy."

Senator Bland moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by

Senators Jacob, Kinder, Russell and Sims.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Clay
Jacob	Maxwell	Quick	Sims—8

NAYS—Senators

Childers	DePasco	Ehlmann	Flotron
House	Howard	Johnson	Kenney
Kinder	Klarich	Mathewson	Rohrbach
Russell	Schneider	Scott	Singleton
Steelman	Stoll	Westfall	Wiggins
Yeckel—21			

Absent—Senator Graves—1

Absent with leave—Senators

Banks	Goode	Mueller	Staples—4
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Senator Bland offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300, Line 4, by inserting after all of said line the following:

"6. The provisions of this section shall only apply to a viable living infant."

Senator Bland moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Ehlmann, Jacob, Sims and Singleton.

Senator Caskey offered **SSA 1** for **SA 4**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 563.530.3, by adding after said subsection the following:

"6. Nothing in this act shall be construed to prohibit a legal abortion."

Senator Caskey moved that the above substitute amendment be adopted.

Senator Scott assumed the Chair.

Senator Maxwell offered **SA 1** to **SSA 1** for **SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 4

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 4 to Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 1, Line 5, by inserting after the word "abortion" the following: "**except partial birth abortion, defined as the termination of pregnancy by partially vaginally delivering a viable living intact fetus, purposefully inserting an instrument into the skull of the intact fetus, and utilizing a suction device to remove the skull contents**".

Senator Maxwell moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bland, Howard, Jacob and Sims.

SA 1 to **SSA 1** for **SA 4** failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Clay	Howard
Jacob	Johnson	Mathewson	Maxwell
Quick	Sims	Singleton—11	

NAYS—Senators

Childers	DePasco	Ehlmann	Flotron
Graves	House	Kenney	Kinder
Klarich	Rohrbach	Russell	Schneider
Scott	Steelman	Stoll	Westfall
Wiggins	Yeckel—18		

Absent—Senator Bentley—1

Absent with leave—Senators

Banks	Goode	Mueller	Staples—4
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Senator Mathewson assumed the Chair.

SSA 1 for **SA 4** was again taken up.

Senator Jacob requested a roll call vote be

taken and was joined in his request by Senators Bland, Howard, Sims and Wiggins.

At the request of Senator Caskey, **SSA 1** for **SA 4** was withdrawn.

Senator Jacob offered **SSA 2** for **SA 4**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 2
FOR SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196, 404, Page 3, Section 565.300, by adding after said subsection the following:

"6. Nothing in this act shall be construed to prohibit a legal abortion."

Senator Jacob moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bland, Ehlmann, Howard and Scott.

SSA 2 for **SA 4** failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Clay	Jacob
Maxwell	Quick	Sims—7	

NAYS—Senators

Bentley	Childers	DePasco	Ehlmann
Flotron	Graves	House	Howard
Johnson	Kenney	Kinder	Klarich
Mathewson	Rohrbach	Russell	Schneider
Scott	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—23	

Absent—Senators—None

Absent with leave—Senators

Banks	Goode	Mueller	Staples—4
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SA 4 was again taken up.

Senator Bland moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Bland Caskey Clay Howard
 Jacob Maxwell Quick Sims—8

NAYS—Senators

Bentley Childers DePasco Ehlmann
 Flotron Graves House Johnson
 Kenney Kinder Klarich Mathewson
 Rohrbach Russell Schneider Scott
 Singleton Steelman Stoll Westfall
 Wiggins Yeckel—22

Absent—Senators—None

Absent with leave—Senators

Banks Goode Mueller Staples—4

Senator Maxwell offered SA 5, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 2, Section 565.300, Line 1, by striking "a human child" and inserting in lieu thereof the following "**an infant**"; and

Further amend said page and said section, line 2, by striking "determined" and insert in lieu thereof the following: "**as determined by a physician**".

Senator Maxwell moved that the above amendment be adopted.

Senator Maxwell offered SSA 1 for SA 5, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 2, Section 565.300, Line 1, by striking "a human child" and inserting in lieu thereof the following "**an infant**".

Senator Maxwell moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Clay, Sims, Singleton and Stoll.

SSA 1 for SA 5 failed of adoption by the

following vote:

YEAS—Senators

Bland Caskey Clay Jacob
 Maxwell Quick Sims Singleton—8

NAYS—Senators

Bentley Childers DePasco Flotron
 Graves House Johnson Kenney
 Kinder Klarich Mathewson Rohrbach
 Russell Schneider Scott Steelman
 Stoll Westfall Wiggins Yeckel—20

Absent—Senators

Ehlmann Howard—2

Absent with leave—Senators

Banks Goode Mueller Staples—4

SA 5 was again taken up.

Senator Maxwell moved that the above amendment be adopted, which motion failed.

Senator Wiggins assumed the Chair.

Senator Clay offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300, Line 4, by inserting after all of said line the following:

"6. A physician who performs any partial birth abortion procedure shall not be guilty of infanticide if the procedure is performed after viability has been determined by the physician based upon his best medical judgment and the procedure is performed in order to save the life of the mother or to prevent serious injury to the mother which could result in death of the mother if the procedure is not performed."

Senator Clay moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bentley, Bland, Scott and Sims.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Bland	Caskey	Clay	Jacob
Maxwell	Quick	Sims—7	

NAYS—Senators

Bentley	Childers	DePasco	Ehlmann
Flotron	Graves	House	Kenney
Kinder	Klarich	Mathewson	Rohrbach
Russell	Schneider	Scott	Singleton
Steelman	Stoll	Wiggins	Yeckel—20

Absent—Senators

Howard	Johnson	Westfall—3
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Absent with leave—Senators

Banks	Goode	Mueller	Staples—4
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At the request of Senator DePasco, the Senate recessed for 10 minutes.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Quick.

Senator Maxwell offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 427, 40, 196 and 404, Page 3, Section 565.300, Line 4, by inserting after all of said line the following:

"6. Nothing in this section shall be construed to apply to the first trimester of pregnancy."

Senator Maxwell moved that the above amendment be adopted.

At the request of Senator House, **HS** for **HCS** for **HBs 427, 40, 196 and 404**, with **SCS, SS No. 2** for **SCS** and **SA 7** (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 **HS** for **HCS** for **HB 826**, entitled:

An Act to repeal sections 197.315, 198.015, 198.070 and 198.073, RSMo 1994, and sections 197.305, 197.317, 198.067 and 198.427, RSMo Supp. 1998, relating to long-term care facilities, and to enact in lieu thereof twenty-two new sections relating to the same subject, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Mathewson introduced to the Senate, John and Lucille Wright, Chariton County; and Bob Leathers, Randolph County.

On behalf of Senator Quick, the President introduced to the Senate, Dr. William Soper and his granddaughter, Kirra Samantha Soper, Clay County; and Kirra was made an honorary page.

Senator Rohrbach introduced to the Senate, students from Morgan R-I School, Stover.

Senator House introduced to the Senate, forty students, parents and teachers from Zion Lutheran School, St. Charles County.

Senator Schneider introduced to the Senate, one hundred fourth grade students from Wedgewood Elementary School, Florissant; and Courtney Olson, Eboni Redmond, Michael Scherbring and Emily Goodman were made honorary pages.

Senator Childers introduced to the Senate, Susan Rogers, Janet Jens, Miss Yuko, Danny Holloway and thirty-one eighth grade students from Junction Hill School, West Plains.

Senator Kinder introduced to the Senate, sixty-eight fourth grade students from Clippard Elementary School, Cape Girardeau; and Kathryn Renfro, Dustin Matty, Jake Meyer and Megan Ruth were made honorary pages.

Senator Bentley introduced to the Senate, Nancy Tinkler Sullivan and twenty-four members of St. Agnes Parish, Springfield; and Shawn Sullivan was made an honorary page.

Senator Klarich introduced to the Senate, Pat Corley and twenty-one eighth grade students from Immaculate Conception School, Union; and Tim Noelker and Christine Wienke were made honorary pages.

Senator Sims introduced to the Senate, John R. Essner, St. Louis County.

Senator Westfall introduced to the Senate, his wife, Sharon, Kathy Roweton and eighth grade students from Halfway; and Valerie Freeman, Marshall Battles, Sara Dunseth and Richard Garza were made honorary pages.

Senator Childers introduced to the Senate, Kristy Chilton and twenty seventh and eighth grade students from Thornfield School, Thornfield; and Sherri Graham, Travis Gaulding, Eric Scott and Jeff Callender were made honorary pages.

Senator Rohrbach introduced to the Senate, Mr. and Mrs. Frank Hurley, Mr. and Mrs. Greg Whitmore, Mr. and Mrs. Mike Wright, Mr. and Mrs. George Langan, Mr. and Mrs. Jim Berry, Mr. and Mrs. Ken Moller, Mr. and Mrs. Trevor Power

and Mr. and Mrs. David Dunkley, Australia; and Don Alberts, Dr. David Linsenhardt, Eileen Plassmeyer and Tom Carr, Jefferson City.

Senator Jacob introduced to the Senate, his daughter, Jessica, Ann Bunch and five fifth grade students from Ridgeway School, Columbia; and Jessica, Corey Grace, Brandin Turner, Dustin Perry, JaRay Hayes, Sade Aarron and Chris Kee were made honorary pages.

Senator Bentley introduced to the Senate, Professor Gary Rader, Julie Horton, Angela Major and Brock Sapp, Springfield.

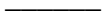
Senator Maxwell introduced to the Senate, Enrique Fernandez, Mexico.

Senator Singleton introduced to the Senate, Derek Williams, Mike Richardson and Adam Wiles, Carthage.

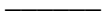
Senator Kenney introduced to the Senate, the Physician of the Day, Dr. Donald A. Potts, M.D., Independence.

On motion of Senator DePasco, the Senate adjourned until 4:00 p.m., Sunday, May 2, 1999.

SENATE CALENDAR



SIXTY-THIRD DAY-SUNDAY, MAY 2, 1999



FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HCS for HB 826-Harlan

THIRD READING OF SENATE BILLS

SB 472-House

(In Budget Control)

SCS for SB 440-Schneider

(In Budget Control)

SS for SCS for SBs 347,

40, 241 & 301-House

(In Budget Control)

SS for SCS for SBs 75,

381 & 204-Wiggins

(In Budget Control)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 274-House, et al,
with SCS | 6. SJR 16-Schneider,
with SCS |
| 2. SBs 18, 49 & 167-
Goode, et al, with
SCS | 7. SB 98-Kenney |
| 3. SBs 398 & 376-Maxwell,
with SCS | 8. SJR 29-Caskey |
| 4. SB 507-Childers | 9. SB 16-Mathewson,
et al, with SCA 1 |
| 5. SB 413-Johnson, et al | 10. SB 52-Klarich and Flotron |
| | 11. SB 236-Stoll |
| | 12. SB 447-Stoll |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 676, with
SCS (Stoll)
(In Budget Control) | 10. HS for HCS for HB 701-
Rizzo, with SCS
(Mathewson)
(In Budget Control) |
| 2. HS for HB 516-Gaw,
with SCS (Jacob)
(In Budget Control) | 11. HCS for HB 60, with
SCS |
| 3. HCS for HB 139, with
SCS (Russell) | 12. HCS for HBs 316, 660
& 203, with SCS
(Howard)
(In Budget Control) |
| 4. HB 401-Barry, et al,
with SCS (Caskey)
(In Budget Control) | 13. HS for HCS for HBs 246 &
405-Bray, with SCS (Clay)
(In Budget Control) |
| 5. HCS for HB 490 & HCS
for HB 308, with SCS (Sims)
(In Budget Control) | 14. HB 541-Kreider, et al
(Mathewson) |
| 6. HB 542-Barry, with
SCS (House) | 15. HCS for HB 889
(In Budget Control) |
| 7. HB 191-Dougherty, et al,
with SCS (Maxwell)
(In Budget Control) | 16. HCS for HBs 603, 722
& 783, with SCS (Goode)
(In Budget Control) |
| 8. HCS for HB 267, with
SCS (Scott)
(In Budget Control) | 17. HCS for HB 780, with
SCS (Stoll) |
| 9. HS for HCS for HB 852-
Hosmer, with SCS
(Caskey)
(In Budget Control) | 18. HS for HCS for HB 793-
Treadway, with SCS
(Mathewson)
(In Budget Control) |

19. HB 368-Murray and
Franklin, with SCS
(Goode)

20. HB 64-Long (Russell)

21. HS for HCS for HB 822-
Liese, with SCS (Clay)
(In Budget Control)

22. HCS for HBs 321 & 493,
with SCAs 1 & 2 (Jacob)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 425-Stoll, et al

SENATE BILLS FOR PERFECTION

SB 5-Wiggins, with SS,
SA 2 & point of order
(pending)

SB 30-Howard, with SCS
(pending)

SB 78-Russell, with SA 4
(pending)

SB 97-Maxwell and Sims

SB 179-Goode, with SA 3 &
SSA 1 for SA 3 (pending)

SB 203-Wiggins

SB 208-House, with SCS &
SS for SCS (pending)

SB 235-Stoll, with SS &
SA 2 (pending)

SB 316-Schneider and
Ehlmann

SB 318-Jacob, et al, with
SCS & SS for SCS
(pending)

SB 336-Caskey, with SS#2
(pending)

SB 339-Howard and Sims,
with SCS & SS#2 for
SCS (pending)

SB 345-Johnson, with SS
(pending)

SB 397-Maxwell, with SCS

SB 417-Quick, with SS#2 &
SA 1 (pending)

SBs 429, 430 & 407-Jacob,
with SCS & SA 2
(pending)

HOUSE BILLS ON THIRD READING

HB 65-O'Toole and May
(108th), with SCS (Scott)

HS for HB 162-Luetkenhaus
(House)

HCS for HB 343, with SCS
(pending) (Caskey)

HCS for HB 349, with SCS
& SS for SCS (pending) (Clay)

HS for HCS for HBs 427,
40, 196 & 404-
Luetkenhaus, with SCS,
SS#2 for SCS & SA 7
(pending) (House)
HS for HB 450-Relford,
with SCS (Maxwell)
HB 468-Koller, with SCS
(pending) (Staples)

HS for HCS for HB 618-Harlan,
with SCS, SS for SCS & SA 6
(pending) (Maxwell)
HB 779-Skaggs, with SCS (Quick)
HCS for HB 888, with SCS
(Mathewson)
HJR 5-Barry, et al, with
SCA 1 & SSA 1 for
SCA 1 (pending) (Stoll)

Unofficial

CONSENT CALENDAR

House Bills

Reported 4/13

HB 775-Hosmer, with SCS
(Bentley)

Journal

Reported 4/14

HB 261-Auer, with SCA 1
(Scott)
HB 346-Thompson (37th)
(Wiggins)
HB 300-Green (Staples)
HB 452-Boatright, et al
(Mathewson)

HB 680-Leake, et al, with
SCA 1 (Stoll)
HB 903-Auer (Jacob)
HB 926-Liese and Ward
(Jacob)

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Reported 4/15

HB 326-Parker (Stoll)
HB 415-Vogel and Gratz,
with SCA 1 (Maxwell)
HB 812-Berkowitz, et al,
with SCS (Maxwell)
HB 866-Treadway, with SCS
(Scott)

HB 548-Kennedy, with SCS
(Wiggins)
HB 988-Backer (Wiggins)
HB 399-Bray (Wiggins)
HB 472-Nordwald (House)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 33-Johnson, with HCS,
as amended

SB 115-Russell, with HCA 1

SB 294-Staples, with HA 1,
HA 2, HA 3, HA 4,
HA 5, HA 6 & HA 7

SB 310-Maxwell, with HS,
as amended

SS for SCS for SB 467-
Caskey, with HA 1 &
HA 2

Unofficial
BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 291-Caskey, with HS
for HCS, as amended
SCS for SB 334-Mathewson,
with HCS
HCS for HB 2, with SCS
(Goode)
HCS for HB 3, with SCS
(Goode)
HCS for HB 4, with SCS,
as amended (Goode)
HCS for HB 5, with SCS,
as amended (Goode)
HCS for HB 6, with SCS,
as amended (Goode)
HCS for HB 7, with SCS
(Goode)
HCS for HB 8, with SCS
(Goode)

HCS for HB 9, with SCS
(Goode)
HCS for HB 10, with SCS,
as amended (Goode)
HCS for HB 11, with SCS,
as amended (Goode)
HCS for HB 12, with SCS
(Goode)
HB 248-Kissell, with SCS
(Westfall)
(House adopted CCR
and passed CCS)
HCS for HB 348, with SCS
(Caskey)
HB 789-Berkstresser and
Bartelsmeyer, with SCS
(Childers)

Requests to Recede or Grant Conference

SB 219-Caskey, with HCS,
as amended
(Senate requests House
recede or grant conference)

SCS for SB 436-Quick, with HS
for HCS, as amended
(Senate requests House
recede or grant conference)

HCS for HCRs 6 & 7 (Staples),
with SA 1, as amended & SA 2
(Senate refuses to recede and
requests House grant conference)

RESOLUTIONS

SR 359-Ehlmann

SCR 9-Mueller

Unofficial
To be Referred

HCR 35-Gaw, et al

Reported from Committee

HCR 11-Mays (Goode)

HCR 9-Bonner (DePasco)

SR 595-Flotron

HCR 28-Ransdall, with SCS

(Goode)

HCR 21-Kissell & Kelly

(27th), with SCS

HCS for HCR 19, with SCS

(Caskey)

HCS for HCR 3, with SCS

(Childers)

HCR 17-Barnett (Graves)

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