

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH001
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Rachel Albinson Sarah Staebell
Delegation:	Rockwood Summit
Title:	An Act To PROHIBIT FIFTEEN (15) YEAR OLDS FROM OBTAINING A WORK PERMIT AND ENTERING THE WORK FORCE IN THE STATE OF MISSOURI

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A.
2
3 1. For the purpose of this legislation "work permit" will be defined as a legal
4 document giving information and consent for employment of certain people,
5 and "work force" will be defined as all the people working or available to
6 work in a state, company, or industry.
7
8 2. This will ban fifteen (15) year olds from receiving permission or a work
9 permit from their superintendent of schools. This will disable employers
10 from hiring these adolescents.
11
12 3. The Missouri Division of Labor Standards will enforce this act.
13
14 4. If an employer hires a fifteen (15) year old without a permit, the employer
15 will be fined one-thousand (1,000) dollars for every one (1) illegally
16 employed person.
17
18 5. This bill will be enacted six (6) months after passage.
19
20

Cost:	\$0
Source:	Not applicable
Department:	Not applicable

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH002
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Ryan Foshage Dillon Doskoril
Delegation:	Rockwood Summit
Title:	An Act To make voting done by mail, while abolishing traditional voting.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 (1) This act shall make it mandatory for the State of Missouri to abolish
2 traditional voting procedure for statewide elections and adopt a new mail-in-
3 ballot policy.
4
5 (2) The Secretary of State shall oversee the new mail-in-ballot system.
6
7 (3) One month before ballots are due they will be mailed to all voting-
8 registered adults in Missouri.
9
10 (4) Citizens must have their ballots post marked by a certain date to be
11 counted.
12
13 (5) No postal fees will be charged either to the state of Missouri or any voter.
14

Cost:	\$50,000
Source:	The \$50,000 will come from the previous funds spend on running statewide election booths.
Department:	Secretary of State

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH003
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Alex Finck Matt Wilson
Delegation:	Mexico
Title:	An Act To Restrict the Monetary Donations Towards Candidates Campaigning For Office

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Chapter 130, RSMo, is amended by adding thereto one new section, to be
3 known as 130.030, to read as follows:
4
5 130.030
6 1. This section shall be known and may be cited as the "Restriction To The
7 Maximum Monetary Donations Towards Candidates Campaigning For
8 Office".
9
10 2. As used in this section, the following terms mean:
11
12 (1) "Candidate", a citizen who is seeking an office in Missouri.
13
14 3. For all candidates running for statewide office, 1 million dollars
15 (\$100,000,000) shall be the maximum amount of money compiled during a
16 candidate's campaign for election through monetary donations. For all
17 candidates running for the Missouri state Senate, one hundred-fifty thousand
18 dollars (\$150,000) shall be the maximum amount of money compiled during
19 a candidate's campaign for election through monetary donations. For all
20 candidates running for the Missouri state House of Representatives, fifty
21 thousand dollars (\$50,000) shall be the maximum amount of money
22 compiled during a candidate's campaign for election through monetary
23 donations.
24
25 Section B:
26 1. The Department of Revenue will enforce the provisions of this bill. Said
27 department can change said amount due to inflation.
28
29 Section C:
30 1. For any monetary donation made that exceeds said amount, the donation
31 will be returned immediately.
32
33 Section D:

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- 34 1. This bill will go into effect six (6) months after passage.
35
36

Cost:	\$0
Source:	N/A
Department:	N/A

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH004
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Matt Gayer
Delegation:	Rockwood Summit
Title:	An Act To Comprehensively Reform Medical Malpractice in Missouri

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:

2 (1) That medical malpractice insurance in the state of Missouri be
3 reformed, regulated, and remedied, in the following ways. A state review
4 board is to be established in order to review any increase of medical
5 malpractice insurance premiums. An insurance company must send any
6 proposal of a medical malpractice premium increase to this state review
7 board. The state government is to create a special legislative sub-committee
8 of eight legislators. This committee is intended to be bipartisan. This
9 committee will be assigned the task of nominating a state review board. The
10 state review board will subsequently nominate a district review board in each
11 of Missouri's congressional districts. These district review committees will
12 then oversee their own district's medical malpractice insurance premium
13 increases. These district review boards will each consist of eight lawyers
14 that are appointed by the state review board. Each district review board will
15 review any medical malpractice insurance premium increase in their district.
16 The district board will decide if the premium increase is justified. The board
17 will be required to meet at regular intervals of time throughout the year, to
18 be determined accordingly to each individual district requirements. The
19 state review board will serve as an overseer committee for the district review
20 boards and will be responsible for reporting the annual summary of activities
21 of the district boards to the legislative committee that is overseeing this
22 board.

23 (2) In addition, certain general restrictions will be placed upon medical
24 malpractice insurance companies. Any insurance company must give prior
25 warning or early notification to the medical professional if the insurance
26 company plans on raising the medical professional's malpractice premium or
27 dropping their coverage of the medical professional. An insurance company
28 must notify the policy holder 90 days prior to a rate increase. An insurance
29 company must notify the medical professional 180 days prior to dropping the
30 medical professional's coverage. The notification of the malpractice
31 premium increase or the intent to deny future malpractice coverage must
32 include a detailed list of the reasons behind the rate increase or denial of
33 coverage. At no time may an insurance company raise the medical

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34 professional's malpractice rates by more than 10 percent, and no insurance
35 company may raise the malpractice rate by more than 25 percent in one year.

36 (3) Medical malpractice insurance in the state of Missouri will also be
37 reformed in the following way. No insurance premium increase shall occur
38 as a penalty for being involved in a malpractice suit unless the medical
39 professional is found guilty in a medical malpractice trial.

40 Section B:

41 (1) The State Medical Malpractice Trial Review Board shall be
42 established to review all cases before any medical malpractice case goes to
43 trial. The State Medical Malpractice Trial Review Board will consist of ten
44 members. Seven of these members must be medical professionals, while the
45 other three must be qualified lawyers or judges. Of the seven medical
46 professionals, four must not be currently practicing medicine. Three of these
47 seven medical professionals must be or have been surgeons. These three
48 surgeons must represent at least two different fields of surgery. One medical
49 professional is to specialize in or have specialized in the field of oncology.
50 One medical professional is to specialize in or have specialized as a general
51 practitioner. One medical professional is to specialize in or have specialized
52 in obstetrics. The remaining medical professional must specialize in or have
53 specialized in a field different from the fields mentioned above. The three
54 lawyers or judges who sit on this board will be chosen according to
55 qualifications deemed appropriate by the special legislative committee in
56 charge. This state review board will be initially elected by a special
57 legislative committee of ten legislators. Each legislator is to create a list of
58 ten possible candidates for the board. These prospective lists will then be
59 voted on and discussed by the committee until the ten members of the state
60 review board have been chosen. The ten member legislative committee is
61 meant to be bipartisan. The state review board is to create a similar district
62 board in each of Missouri's congressional districts. The only difference in
63 the requirements for these district committees is that at least half of the
64 district review committee must reside in and practice in that district. The
65 district board will review all medical malpractice cases and decide if the case
66 is legitimate and has enough merit to warrant a trial. Any case dealing with
67 wrongful death or damages totaling in excess of one million dollars will be
68 automatically deferred to the state review board. Appeals of the district
69 review board rulings may be presented to the state review board, who will
70 then choose to review the case or not. The additional power and
71 responsibility bestowed upon the state review board is to certify, and appoint
72 when necessary, any and all expert testimony credentialed medical
73 professionals, as defined in detail in the the private expert testimonial clause
74 of the following section. All board members of the state board will serve
75 five year terms, and a subsequent report of their actions, rulings, and conduct
76 will be reviewed by the Missouri legislature. If member positions at the state

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77 level of the board need to be filled, a special legislative committee will be
78 called to order to vote and discuss replacement candidates. At all times,
79 however, the chief of the state review board must be a medical professional,
80 retired or actively practicing. All decisions of the board must be made by a
81 majority vote of at least six of the members. If the vote is tied and no
82 majority can be achieved, the chief of state review board will cast an extra
83 vote to break the tie and decide the majority. The type of case that will be
84 reviewed by the district or state review board will be any case pertaining to
85 medical malpractice where a medical professional is being sued. If the case
86 is approved, the case will move on to a medical malpractice trial. The
87 review boards will not be judging the guilt or innocence of the medical
88 professional, but will be judging the merits and validity of the case presented
89 for review. If the case is denied and decided to not possess enough merit to
90 warrant a trial, the case will be dismissed and no trial shall occur. The
91 legislative committee created to form the initial state review board will be
92 convened at the earliest possible time. This legislative committee will then
93 have ninety days to compile the list of possible candidates and vote on the
94 state review board members. The state review board members will be sworn
95 in following the vote. The state review board's first action will be to create
96 the district review boards, a task which it will have nine months to complete.
97 The legislative committee will report back to the Missouri House of
98 Representatives and Missouri Senate on the review board's activities and
99 progress each year.

Section C:

100 That medical malpractice trials be reformed and regulated in the following
101 ways.

102
103 (1) Court appointed expert testimony shall be established while private
104 expert testimony shall be deemed inadmissible. The current practice of any
105 medical professional being hired and called as an expert witness in medical
106 malpractice trial will no longer be allowed. All expert testimony must now
107 be from state certified and credentialed medical professionals. This type of
108 expert testimony is to be created by the state, offering certification to
109 medical professionals wishing to be allowed to testify as expert witnesses.
110 The medical professional will have to submit an application to the medical
111 malpractice state review board. If the medical professional is approved, they
112 shall be allowed to testify in any Missouri medical malpractice case
113 pertaining to their own field or fields of expertise. This certification validates
114 their knowledge in their field and that they shall have no bias in their
115 testimony. Also, this expert may not meet with any lawyers from the
116 plaintiff or the defendant before testifying to insure that they have had no
117 coaching or influence from outside sources. Each expert witness will only
118 be allowed to testify in the field or fields for which they are certified. The
119 expert witness will have to re-submit their application on a bi-yearly basis to

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120 continue to possess this certified status. The witness can either be requested
121 by the plaintiff, defendant or court ordered. All other expert medical
122 testimony will be considered out of order and inadmissible in a medical
123 malpractice suit.

124 (2) Medical malpractice trials shall also be reformed in the following way.
125 There shall be a limit established on non-economic damages, and a limit on
126 the number of decisions ruled against a medical professional in a single case.
127 Non-economic damages can be defined as those damages in a medical
128 malpractice suit that have no actual monetary value, but are given a
129 monetary value by a judge or jury. These damages may include, but not
130 limited to, pain and suffering, psychological distress, or depression. Due to
131 the nature and emotional appeal of these claims, the practice of issuing any
132 amount to the plaintiff for non-economic damages will be reformed by
133 placing a limit to not exceed \$300,000. The current practice of awarding
134 multiple decisions of non-economic damages from one plaintiff against one
135 defendant will be reformed. The limit on the number of non-economic suits
136 that can be filed in one medical malpractice case against one medical
137 professional is to be set at three, with a total monetary value to not exceed
138 \$600,000. This is to take place immediately upon ratification of this bill, not
139 including any cases which are pending or in progress.

Section D:

140
141 (1) The legislative committees that create and elect the members of the
142 Medical Malpractice Insurance Review Board (See Section A) and the State
143 Missouri Medical Malpractice Trial Review Board (See Section B) shall
144 enforce and regulate their respective review boards.

145 (2) Section C, regarding expert testimony in medical malpractice cases,
146 will be enforced and regulated by the State Missouri Medical Malpractice
147 Trial Review Board.

148 (3) Medical malpractice insurance premiums noted in Section A
149 Subsection 3 will be enforced and regulated by the Medical Malpractice
150 State Review Board noted in Section A Subsection 1.

Section E:

151
152 (1) The legislative committees that will be set up by both Section A and
153 Section B will be created within three months of the ratification of this bill.
154 Upon the election of the state medical review board members as noted in
155 Section A Subsection 1 and Section B Subsection 1, the State Review
156 Boards shall within nine months create the district review boards as noted in
157 their respective sections.

158 (2) Section A Subsection 2 and 3 will be effective immediately upon
159 ratification of this bill. Section C Subsection 1 will be effective as soon as
160 the State Medical Malpractice Trial Review Board is formed. Section C
161 Subsection 2 will be effective immediately upon ratification of this bill. All

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162 legislation within this bill will be enacted within 15 months of the
163 ratification of this bill.
164

Cost:	\$500,000
Source:	The money will come partially from available revenue of the budget of the Missouri Department of Health and partially from a new tax called the Missouri Health Care Reform Tax. Also, the budgets of all other state health related departments will be reviewed and any additional budgetary allowances of these departments will be put toward this bill's funding.
Department:	The Missouri Department of Health

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH005

BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Charles Hang
Delegation:	Francis Howell Central
Title:	An Act To amend Chapter 537, RSMo, by amending Section 537.348 to relieve landowners of any liability caused by injuries that occur on their property in the course of an illegal action.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 Chapter 537, RSMo, is amended through the amendment of section
- 3 537.348.3 to read
- 4 As follows:
- 5
- 6 537.348.3
- 7 1. Injuries occurring OTHER THAN IN THE COURSE OF THE
- 8 PURSUANCE OF AN ILLEGAL
- 9 ACTIVITY, TO BE DEFINED AS A FELONY OR MISDEMEANOR AS
- 10 DEFINED UNDER SECTION 556-016 OF THE RSMo ON OR IN:
- 11
- 12 (a) Any land within the corporate boundaries of any city, municipality, town,
- 13 or village in this state;
- 14
- 15 (b) Any swimming pool. "Swimming pool" means a pool or tank, especially
- 16 an artificial pool or
- 17 tank, intended and adapted for swimming and held out as a swimming pool;
- 18
- 19 (c) Any residential area. "Residential area" as used herein means a tract of
- 20 land of one acre or less predominately used for residential purposes, or a
- 21 tract of land of any size used for multifamily residential services; or
- 22
- 23 (d) Any noncovered land. "Noncovered land" as used herein means any
- 24 portion of any land, the surface of which portion is actually used primarily
- 25 for commercial, industrial, mining or
- 26 manufacturing purposes; provided, however, that use of any portion of any
- 27 land primarily for
- 28 agricultural, grazing, forestry, conservation, natural area, owner's recreation
- 29 or similar or related uses or purposes shall not under any circumstances be
- 30 deemed to be use of such portion for commercial, industrial, mining or
- 31 manufacturing purposes.
- 32

MISSOURI YMCA GENERAL ASSEMBLY

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33 2. The provisions of this bill will take effect immediately after bill passage.

34

35

Cost:	0
Source:	This bill merely reduces existing liability.
Department:	The Department of Revenue

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH006

BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Claire Hibbs
Delegation:	Columbia
Title:	An Act To Amend Section 115.133 of the RSMO Regarding Voter Qualifications

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: For the purpose of this bill the following definitions shall apply:
- 2 Imprisonment shall be defined as a period of time in a prison or jail.
- 3 Probation shall be defined as a trial period during which ones character and
- 4 abilities are tested to see whether or not one is suitable to reenter society.
- 5 Parole shall be defined as the release of a prisoner from imprisonment, but
- 6 not legal custody. Felony shall be defined as a serious crime.
- 7
- 8 Section B: The following shall be removed from Section 115.133 of the
- 9 Missouri Revised Statutes [(1) While confined under a sentence of
- 10 imprisonment; (2) While on probation or parole after conviction of a felony,
- 11 until finally discharged from such probation or parole; or]
- 12
- 13 Section C: This act shall be enforced by the Missouri Secretary of State in
- 14 conjunction with the Missouri Department of Corrections.
- 15
- 16 Section D: This act shall go into effect during the 2008 election year.
- 17
- 18

Cost:	At most one thousand (1,000) dollars.
Source:	This money will come from appropriations from the Missouri Secretary of States office.
Department:	The Missouri Secretary of State will be fiscally responsible for this legislation.

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH007
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Lauren Jerichow Ashten Travis
Delegation:	Mexico
Title:	An Act To Require Those Who Receive Unemployment Checks To Volunteer Twenty-Four Hours A Month

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1
2 Section A.
3 Whereas the General Assembly fully understands that many people in
4 Missouri are
5 unemployed. Let the term “unemployment checks” be defined as a check
6 received from
7 the government while unemployed.
8
9
10 Those who receive unemployment checks from the government must
11 volunteer a total of
12 twenty-four hours a month until they obtain employment.
13
14
15 When a person wants to receive their unemployment check they would go to
16 the Division
17 of Security Employment. The employment office would inform them that to
18 receive the
19 checks they must volunteer a minimum of twenty-four hours a month before
20 their check
21 is received. There will be lists of places to volunteer and the unemployment
22 worker must
23 send their volunteer timesheet with a signature from a supervisor from the
24 place they
25 volunteered to the Division of Security Employment. Transportation will
26 not be provided.
27
28 Section B:
29 The Division of Security Employment must hire a coordinator to keep track
30 of
31 unemployed volunteers. The money will come from the Division of Security
32 Employment. The coordinator will receive an annual salary of \$25,000 to
33 \$35,000

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34 depending on their experience.
35
36
37 Section C:
38 Penalties as follows:
39 No unemployment check will be issued until twenty-four hours of
40 volunteering is
41 fulfilled.
42
43 Section D:
44 This legislation shall go into effect the following year after passage.
45
46

Cost:	\$25,000-\$35,000
Source:	Cuts will be made in the Division of Security Employment.
Department:	The Division of Security Employment.

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH008
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Jared Lund
Delegation:	Francis Howell Central
Title:	An Act To amend section 217.262 RSMO to assign more strict punishments to offenders who file frivolous lawsuits.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:
CHAPTER 217 RSMO IS AMENDED BY CHANGING SEC

1 . This bill shall give more of a punishment to those who file frivolous law
2 suites in courts. Under the current stature the offender is first eligible for
3 parole after sixty days of his/her sentence. The offender can also pay a sum
4 of up to fifty percent of the average balance of the offender's account for any
5 portion of the preceding twelve months during which the offender's account
6 had a positive balance shall be deducted from an offender's account for each
7 instance that a court finds that the offender has done any of the following
8 while in the custody of the department. If you are found guilty of filing
9 frivolous lawsuits should be at least one year before you are eligible for the
10 option of parole. Offenders that hold up the court should spend more time in
11 corrections to understand the severity of there crimes.
12

Cost:	negligible
Source:	A Twenty dollar tax on filing all civil lawsuits. The plaintiff in the case will pay this fine. This tax will be added on to all of the other taxes when a lawsuit is filed.
Department:	This tax will be payed to the Internal Revenue Service.

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH009
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Megan Maxwell Lindsey Phipps
Delegation:	Mexico
Title:	An act to regulate the sale of gift certificates.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A
2 1. This section shall be known and may be cited as the “Gift
3 Certificate Sale and Regulation Act”
4
5 2. As used in this section the following terms mean:
6
7 (1) “Gift certificate”, a record evidencing a promise given in exchange
8 for payment to provide merchandise in a specified amount or of equal value
9 to the bearer of the certificate.
10
11 (2) “Consumer”, a person who purchases a gift card.
12
13 (3) “Merchandise”, any objects, wares, goods, commodities, services or
14 anything offered, directly or indirectly, to the public for sale.
15
16 (4) “Retail Merchandise Establishment”, any place of business where
17 merchandise is exposed or offered for sale at retail to members of the
18 consuming public.
19
20 (5) “Conspicuously”, any print that is readily visible or observable.
21
22 3. Beginning January 1, 2009, a gift certificate issued by a retail
23 merchandise establishment shall be valid until presented in exchange for
24 merchandise, or shall have any and all conditions and limitations:
25
26 (1) Disclosed to the purchaser of the gift certificate at the time or
27 purchase; and
28
29 (2) Conspicuously printed on the gift certificate.
30
31 4. If any retail merchandise establishment fails to abide by the
32 provisions of this act they shall be subject to a penalty of a \$300 fine per
33 card sold.
34

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35 5. This act shall be enforced by the Consumer Affairs Division of the
36 Missouri Attorney General's Office.

37
38

Cost:	\$0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH010

BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Chris Reiter
Delegation:	Carondelet
Title:	An Act To have employers hire older Missourians

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A.
- 2 Service Industry - An industry that produces services rather than goods. In
- 3 this case services like resaurants or entertainment.
- 4 Section B.
- 5 For any business licensed by the state of Missouri that employs at least 10
- 6 employees, 20% of the total employed staff must be or over the age of 40.
- 7 Section C
- 8 The penalties for not adhering to this law will be as follows.
- 9 1st offense - \$5,000 Fine
- 10 2nd offense - \$25,000 Fine
- 11 3rd offense - \$100,000 Fine
- 12 4th offense - \$250,000 Fine
- 13 5th offense - Business Operations will cease.
- 14 Section D
- 15 This legislation will take affect January 1st, 2009
- 16

Cost:	\$0.00
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH011
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Angela Spinzig
Delegation:	Fort Zumwalt South
Title:	An Act To ENSURE THE RATINGS OF THEATRICAL MOVIE PREVIEWS ARE LESSER OR EQUAL TO THAT OF THE FEATURE PRESENTATION

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 Chapter 620, RSMo, is amended by adding thereto one new section, to be
3 known as section 620.1211, to read as follows:
4
5 620.1211
6 1. This section shall be known, and may be cited, as the "Theatrical Preview
7 Restriction Act"
8
9 2. For the purposes of this bill the following terms shall be defined as:
10
11 (1) "Motion Picture", a dramatic performance that is
12 recorded as a moving image, whether on film, videotape, or digital
13 video disc and then exhibited, either in part or in whole, to the public.
14
15 (2) "Theatrical Preview", an advertisement that contains
16 short scenes from a motion picture that will appear in the near future.
17
18 (3) "Motion Picture Association of America (MPAA)", an
19 organization which sets policies and standards for motion pictures,
20 including the audience suitability ratings.
21
22 (4) "Classification and Rating Administration (CARA)",
23 an organization which issues ratings for motion pictures exhibited and
24 distributed commercially to the public of the United States, with the
25 intent to

MISSOURI YMCA GENERAL ASSEMBLY
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33 provide parents information concerning the content of
34 those motion pictures, to aid them in determining the suitability of
35 individual motion pictures for viewing by their children.
36
37 (5) "Rating", any of five (5) classifications which
38 categorize a motion picture with regard to suitability for children and/or
39 adults as assigned by the MPAA and CARA representative of the motion
40 picture's content on basis of violence, sexual content, language, and
41 overall theme.
42
43 (6) "Feature Presentation", any motion picture longer
44 than fifteen (15) minutes for which an admission price is paid
45
46
47
48
49
50
51
52 3. THE FOLLOWING SHALL APPLY TO ALL MOTION PICTURES
53 EXHIBITED, IN PART OR IN WHOLE, TO THE PUBLIC WHICH
54 EMPLOY THE USE OF THEATRICAL PREVIEWS:
55 (A) NO THEATRICAL PREVIEW SHALL FEATURE A MOTION
56 PICTURE WITH A RATING HIGHER THAN THAT OF THE FEATURE
57 PRESENTATION.
58 (B) ANY THEATRICAL PREVIEW MAY FEATURE A MOTION
59 PICTURE WITH A RATING EQUAL TO OR LESSER THAN THE
60 FEATURE PRESENTATION.
61 (C) NO THEATRICAL PREVIEW MAY FEATURE A MOTION
62 PICTURE WITH ANY RATING OTHER THAN THOSE ISSUED BY
63 CARA AND THE MPAA.
64
65 4. The Office of the Missouri Film Commission may promulgate rules to
66 implement the provisions of this section. Any rule or portion of a rule that is created under
67 the authority delegated in this section shall become effective only if it
68 complies with and is subject to all of the provisions of chapter 620, RSMo,
69 and, if applicable, section 620.1211, RSMo. This section and chapter 620,
70 RSMo, are non-severable and if any of the powers vested with the general
71 assembly pursuant to chapter 620, RSMo, to review, to delay the effective
72 date, or to disapprove and annul a rule are subsequently held
73 unconstitutional, then the grant of rulemaking authority and any rule
74 proposed or adopted after August 28, 2010 shall be invalid and void.
75

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH011

76
77 5. Pursuant to section 23.253, RSMo, of the Missouri sunset act:
78
79 (1) Any new program authorized under this section shall automatically
80 sunset six (6) years
81 after August 28, 2010, unless reauthorized by an act of the general
82 assembly; and
83
84 (2) If such program is reauthorized, the program authorized under this
85 section shall
86 automatically sunset twelve years after the effective date of the
87 reauthorization of this
88 section; and
89
90 (3) This section shall terminate on September first of the calendar year
91 immediately
92 following the calendar year in which a program authorized under this
93 section is sunset.
94
95 6. This legislation shall go into effect on January first of the year following
96 passage.
97
98
99
100
101

Cost:	0.00 except in the case of fines
Source:	fines
Department:	The Missouri Department of Economic Development

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH012
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Elliott Wall Jordan Whanger
Delegation:	Mexico
Title:	An Act To Require the Testing of Lead on All Imports from China

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 For the purpose of this bill the following term "Lead Testing" will be defined
3 as the testing of products for excessive amounts of lead. Products shall be
4 defined as items imported to the United States from China.
5
6 Section B:
7 Products imported from China will be required to be tested by the Missouri
8 Department of Health and Senior Services for unsafe amounts of lead.
9 Testing will take place upon the products arrival to Missouri. If found to
10 contain unsafe amounts of lead, the product will not be allowed to be sold by
11 Missouri vendors.
12
13 Section C:
14 The Missouri Department of Health and Senior Services will enforce this
15 bill.
16
17 Section D:
18 The funding for the lead testing will be at the vendors' own expense.
19
20 Section E:
21 This legislation will go into effect six months after passage.
22
23

Cost:	Amount Varies
Source:	Independent countries buying from China
Department:	Missouri Department of Health and Senior Services

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH013
BUSINESS & STATE AFFAIRS COMMITTEE**

Introduced by:	Kevin Hartman Billy Kreutzman
Delegation:	Carondelet
Title:	An Act To Prevent younger children unattended in a motor vehicle.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 This is to prevent young children from being hurt, abducted, or possibly
- 2 death. This is to aware guardians to not leave children in a vehicle
- 3 unattended. the penalty will be a 100-1000 dollar fine. This is a class b
- 4 mistamener.
- 5 this law shall take affect 60 days after being passed
- 6

Cost:	0.00\$
Source:	Taxes
Department:	Department Of Revenue

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH014
BUSINESS & STATE AFFAIRS COMMITTEE**

Introduced by:	Dan Gebken Jess Kelly
Delegation:	Carondelet
Title:	An Act To Expand the First Week of Youth Turkey Hunting Season To the First 7 Days of April.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 The term "bag" is to take to turkey and use it. The term "harvest" means to
- 3 use the meat from the turkey.
- 4
- 5 Section B:
- 6 Make the youth hunting of turkey the entire first week of April.
- 7
- 8 Section C:
- 9 The youth is allowed to "bag" 2 turkeys in the first week.
- 10
- 11 Section D:
- 12 This legislation will go into effect 60 days after its passage.
- 13
- 14
- 15

Cost:	0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH015
BUSINESS & STATE AFFAIRS COMMITTEE

Introduced by:	Brittany Simpson
Delegation:	Parkway South
Title:	An Act To make mandatory drug tests for parents going through divorce and pursuing joint custody.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 For the purpose of this bill "parents" shall be defined as legal guardians. In
- 3 addition "joint custody" shall be defined as when each guardian spends an
- 4 equal amount of time with the children. "Drug test" shall be defined as a test
- 5 administered to detect the presence of illegal drugs using hair samples.
- 6
- 7 Section B:
- 8 All persons going through divorce who want joint custody shall be
- 9 summoned to a mandatory drug test. If one or both parents fail the
- 10 administered drug test then that will be taken into account during the custody
- 11 hearing.
- 12
- 13 Section C:
- 14 The test shall be done by local reputable testing laboratories.
- 15
- 16 Section D:
- 17 Those not willing to comply will not get any custody of the children.
- 18
- 19 Section E:
- 20 The drug test will be paid for by the individual requiring it. If the court
- 21 determines the individual can not pay for the drug test, the money will come
- 22 from a state fund created from a one percent surcharge added to each test fee.
- 23
- 24 Section F:
- 25 This bill shall go into effect one year after the passage of the bill.
- 26
- 27

Cost:	0
Source:	
Department:	Judicial Branch.

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH021
EDUCATION COMMITTEE

Introduced by:	Brad DiMariano
Delegation:	Francis Howell Central
Title:	An Act To amend chapter 160.075, RSMo, by adding thereto a clause allowing Latin to be taught in public schools as a foreign language.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 160.075.
- 2 1. Any public school or public institution of higher education in this state
- 3 may offer one or more courses in American Sign Language (ASL) AND/OR
- 4 LATIN. American Sign Language AND/OR LATIN shall be treated as a
- 5 foreign language for academic credit granting and receiving purposes when
- 6 ASL is offered by a public school or public institution of higher education in
- 7 Missouri.
- 8
- 9 Any student enrolled in a public school or public institution of higher
- 10 education in this state that offers an American Sign Language AND/OR
- 11 LATIN course or courses as part of the school's or institution's regular
- 12 curriculum shall receive academic credit for such course or courses if such
- 13 school or institution provides academic credit for a course or courses in any
- 14 other foreign language. Nothing in this section shall prohibit a school or
- 15 institution from offering nonacademic credit ASL AND/OR LATIN classes
- 16 as part of the school's or the institution's educational program.
- 17
- 18 Any student enrolled in a public school or public institution of higher
- 19 education in this state that offers an American Sign Language AND OR
- 20 LATIN course or courses may earn academic credit for such course by
- 21 completing the course with a passing grade or by demonstrating a
- 22 proficiency in ASL AND/OR LATIN at a level of competence equal to that
- 23 taught in such course.
- 24
- 25 Academic credit received for taking an ASL AND/OR LATIN course or
- 26 demonstrating proficiency in ASL AND/OR LATIN shall be counted toward
- 27 satisfaction of any foreign language or language arts requirements of the
- 28 public school or public institution of higher education, including any foreign
- 29 language or language arts entrance requirements of any public institution of
- 30 higher education.
- 31
- 32 Nothing in subsection 4 of this section shall be construed as limiting the
- 33 ability of individual departments in public institutions of higher education

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH021

34 located in the state of Missouri from establishing specific departmental
35 language requirements for majors that cannot be met by American Sign
36 Language AND/OR LATIN.

37
38 2.The individual district’s school board will enforce this policy under the
39 authority of the Department of Elementary and Secondary Education.

40
41 3.This bill will go into effect at the beginning of the school year that follows
42 a one (1) year interval after the passage.

43
44

Cost:	Negligible
Source:	
Department:	Department of Elementary and Secondary Education

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH022

EDUCATION COMMITTEE

Introduced by:	Katie Driver
Delegation:	Lindbergh
Title:	An Act To require HIV testing for college students attending any state funded college or university

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 HIV (human immunodeficiency virus) is prevalent among college students
2 (individuals enrolled in at least one course at any higher education facility)
3 and campuses (institute of higher learning after required K-12 schooling) and
4 therefore testing should be mandated by law before the students first
5 semester. According to Advocates for Youth " Over the last few years the
6 annual number of new HIV infections has risen among youth. Furthermore,
7 because of HIV's long incubation period, most people who have been
8 diagnosed with AIDS while in their twenties may have been infected with
9 HIV when they were teenagers." Mandating HIV testing for incoming
10 college students could significantly reduce the spread of the HIV virus
11 among young people.

12
13
14 An estimated one million people are currently living with HIV in the United
15 States, with approximately 40,000 new infections occurring each year; half
16 of all new infections in the United States occur in people 25 years of age or
17 younger.

18
19
20 This bill will mandate HIV testing for public college students. The
21 information will be required along with the students mandatory medical
22 forms for school. The price of sixty dollars will be added to the students
23 tuition, with available financial aid and scholarships. This bill will be
24 enforced the colleges through the medical board. (Private schools may
25 partake, but will not be mandated.)

26
27
28 Once gaining acceptance to the college of the students choice, they must
29 receive an HIV test to be added to their medical forms needed for
30 attendance. Because HIV is a growing problem, affecting 42 million people
31 world wide, awareness is detrimental to young people. If the students do test
32 HIV positive, the school councilors will provide advice and optional
33 counseling over their school career. The student will also receive help in
34 contacting past sexual partners so they may be tested. The services provided

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH022

35 will be confidential and will not discriminate against the student. According
36 to Until there's a Cure "HIV/AIDS is a 'disease of young people' with half of
37 the new infections each year occurring among people ages 15-24"
38
39
40
41
42
43

Cost:	\$60 per test
Source:	This fee will be incorporated into tuition costs.
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH023

EDUCATION COMMITTEE

Introduced by:	Hayden Legg Leslie Nichols
Delegation:	Mexico
Title:	An Act To Require Schools to Provide Nutritional Information.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 1 Section A:
2 2 All schools, colleges, and universities that recieve any form of state
3 funds to
4 3 provide or subsidize meals, including but not limited to breakfast, lunch,
5 or
6 4 snacks shall post and provide nutritional information regarding all meals,
7 5 food, and drinks served as part of a school meal program. Nutritional
8 6 information shall be posted in a conspicuous place on a daily basis where
9 it
10 7 is available for review and inspection by students, staff and parents. 78
11 8
12 9 Section B:
13 10 Costs of this requierment to post and provide nutritional information
14 11 regarding meals, food, and drink shall be financed by adding a surcharge
15 of
16 12 no more than five cents per meal to the price of all full-cost meals
17 purchased
18 13 by students, staff, visitors or other consumers of school meals.
19

Cost:	\$150,000.00
Source:	User Fees
Department:	Department of Education

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH024
EDUCATION COMMITTEE

Introduced by:	Victor Martinez-Cassmeyer
Delegation:	Carondelet
Title:	An Act To Increase the Drop Out Age of a High School Student from 17 to 18 Years of Age.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 Whereas the General Assembly fully understands that students in Missouri
- 3 are eligible to drop out of high school at the age of 17. A “student” shall be
- 4 defined as a person who attends a public or private secondary high school in
- 5 the state of Missouri, excluding persons who receive their education by
- 6 home schooling. The term “drop out” shall be defined as discontinuing the
- 7 high school career before receiving a diploma.
- 8
- 9 Those students who wish to drop out of school must now be 18 years of age.
- 10 For at the age of 18, a juvenile is considered an adult. An “Adult” shall be
- 11 defined as a person who has come of legal age in the state of Missouri, and
- 12 may do as s/he pleases within the limits of the law.
- 13
- 14 Section B:
- 15 Students who are under the age of 18 and have dropped out of school already
- 16 must re-register into the high school in their district, at the latest, one month
- 17 after this bill goes into effect. A “high school” shall be defined as a public or
- 18 private secondary school in the state of Missouri.
- 19
- 20 Section C:
- 21 If a student is not enrolled into school before the one month is over, a fine of
- 22 \$100 will be assessed to the student’s parent/legal guardian for each day the
- 23 student is not enrolled. After one week, if the student is still not enrolled into
- 24 school then a truant officer will visit the home of the student, and an
- 25 additional \$250 fee will be assessed to the family. If the parent/legal
- 26 guardian still does not re-register the child into school by week’s end after
- 27 the truant officer’s visit, then the head of household shall be placed into
- 28 detention for depriving the child of his/her right to an education. A
- 29 “parent/legal guardian” shall be defined as a person who takes primary care
- 30 of the student outside of school.
- 31
- 32 Section D:
- 33 This bill shall go into effect 6 months after passage.
- 34

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH024

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH025
EDUCATION COMMITTEE

Introduced by:	Julie McGinnity
Delegation:	Lindbergh
Title:	An Act To A bill to establish an independent special school district in each region of Missouri

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Senate Bill Number
2
3 Presented by Senator: McGinnity
4
5 Title:
6 A bill to establish an independent special school district in each region of
7 Missouri
8
9 Be it enacted by this student Congress that:
10
11 Section 1:
12
13 Key Terms
14
15 1. Special School District: an individual district that assists students
16 with special needs from every public school district in its geographical
17 region, providing assistive devices and extra teachers for the students with
18 special needs
19
20
21 Presently, in the United States special school districts, like the one in St.
22 Louis, are practically nonexistent. Instead, each public school district
23 provides for its students with disabilities individually. This creates
24 inefficiency in the education system because it does not guarantee that
25 students with special needs will receive the quality education a special
26 district would offer.
27
28 Section 2:
29
30 The system that has been in place ever since disabled students were
31 recognized in public schools, in which they were assisted only by the school
32 district itself, does not ensure the best education for them as well as a special
33 school district would. Although many districts might prove quite
34 satisfactory in this area, some do not have the resources or money to provide

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH025

35 for these special cases. Also, these schools do not have enough personnel to
36 deal with the number of cases they must accommodate. This causes many
37 students to miss out on the benefits that a special district would obviously
38 provide.
39
40 Section 3:
41
42 A special school district will be created in each region in the state of
43 Missouri. This region will be based on population and geographic location.
44 For example, some cities will have their own, like Kansas City and St. Louis
45 which already has one, while other special school districts will each provide
46 for more than one town, depending on population. Each of these regions
47 will pay a certain small amount for their special school district. For instance,
48 St. Louis citizens pay 90.84 cents per 100 dollars for special school district
49 in their taxes. This is not necessarily what every region will pay. That will
50 depend on the population and the size of the special district. Furthermore,
51 this bill will cut costs from the school districts that previously had to hire
52 their own personnel and take some of that money to use it for the special
53 district, causing the taxes in each region to be lower. All of this will be
54 decided by the state and the school board in question, which will carry out
55 this establishment as it does in St. Louis.
56
57 Section 4:
58
59 This bill will assist students with disabilities to succeed more readily in their
60 educational endeavors. If they have the benefit of a special school district,
61 they can receive so much more assistive technology, various kinds of
62 physical and educational therapy, and assistance in learning things such as
63 Braille and sign language. These programs would benefit the students, so
64 they could pursue more independence and education because each student
65 would gain more individual attention. Therefore, each student in Missouri
66 would gain a more beneficial education under this system.
67
68 Section 5:
69
70 These special districts will lead to a more educated society and would be
71 beneficial to all citizens. Not only would it create job opportunities all over
72 the states, but it would cost the individual districts less because they will not
73 have to provide as much for their special education. The individual school
74 districts would also gain because the special districts will lead to better
75 education of those students who need assistance, which would then in turn
76 lead to better standardized test scores and better ratings for the districts
77 themselves. Therefore, any one who supports the public school system

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH025

78 would automatically support the special school district system as well. It
 79 will ensure a better education to the disabled students, while benefiting the
 80 whole education system.

81
 82

Cost:	The state will tax the citizens in each region, an
Source:	These funds will come from taxes, based on the region's population. Also, the districts that used to provide for themselves in this area will provide some of the funding. For example, it costs St. Louis taxpayers 90 cents per 100 dollars in taxes.
Department:	The region's district school boards will be responsible for deciding costs as they are in St. Louis.

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH026

EDUCATION COMMITTEE

Introduced by:	Christine Tosie Samantha Moffatt
Delegation:	Rockwood Summit
Title:	An Act To Establish Year-Round Schooling In All Missouri Public Schools

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 For the purpose of this bill, "year-round schooling" shall be defined as the
- 3 operation of educational institutions on a calendar-system that places
- 4 students into class schedules throughout the entire calendar year. "Missouri
- 5 public schools" shall be defined as any school funded by the Missouri
- 6 government.
- 7
- 8 Section B:
- 9 Any Missouri student attending a public school will attend the same amount
- 10 of total days of classroom education and receive the same amount of
- 11 vacation as traditional calendars; the days will be distributed throughout the
- 12 calendar year.
- 13
- 14 Section C:
- 15 The Missouri Department of Elementary and Secondary Education will
- 16 provide funding for this bill in place of the current educational system.
- 17
- 18 Section D:
- 19 The Missouri Department of Elementary and Secondary Education will
- 20 enforce this legislation. Educational institutions that neglect to comply with
- 21 this legislation will have their funding automatically terminated.
- 22
- 23 Section E:
- 24 This bill shall go into effect at the beginning of the 2009-2010 school year.
- 25

Cost:	\$180,000,000
Source:	The funds needed for this legislation will come from taxes that go to the Missouri Department of Elementary and Secondary Education.
Department:	The Department of Elementary and Secondary Education will be fiscally responsible.

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH027
EDUCATION COMMITTEE

Introduced by:	Robert Seigfreid Brandon Morgan
Delegation:	Mexico
Title:	An Act To amend chapter 162, RSMo, by adding thereto one new section relating to the establishment of a program for advanced high school students getting the best science and math classes possible.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 Chapter 162, RSMo, is amended by adding thereto one new section, to be
3 known as section 162.1200
4
5 162.1200
6 1. This section shall be known as the “Advanced Maths and Sciences for
7 Highschool Act (AMS)”.
8
9 2. As used in this section, the following terms mean:
10
11 (1) “Advanced Students”, a Missouri student of grades 9 to 12 that are
12 determined to be in the top 5% of all science and math students in the State
13 of Missouri as determined by the Missouri Department of Elementary and
14 Secondary Education (hereinafter DESE).
15
16 (2) “Top Teacher” and “Top Teachers”, a Missouri teacher of math or
17 science for Advanced Students attending grades 9 to 12 whose students are
18 determined to have the highest average score in science and math, with the
19 smallest range of scores as determined by DESE.
20
21 3. Beginning on the start of each school year for every school in the state of
22 Missouri, the Advances Students shall have the option to have placement in
23 classes with the Top Teacher in each area of math and science classes
24 offered in their region.
25
26 (1) Classes shall be held via internet and computer with the teachers.
27
28 4. The Top Teachers shall be paid a bonus for becoming a “Top Teacher”
29 and another bonus shall be paid to the Top Teachers based upon how well
30 their students do on standardized testing for each grade level in math and
31 science each year.

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH027

32
33 (1) The money for these bonuses shall come from cuts to the individual
34 school’s sports programs, to be paid by all schools subject to the provisions
35 of this act (AMS).
36
37 (2) The cuts to the sport’s programs shall be not less than \$1,000.00 and not
38 more than 5% of the total athletic budgets.
39
40 (3) Money collected shall be paid to DESE and deposited into a special,
41 segregated fund for the sole purpose of paying for Top Teacher bonuses.
42 The fund shall be known as the Top Teacher Bonus Fund.
43
44 (4) The bonuses paid to the Top Teachers shall be paid by all schools
45 participating in this program from the Top Teacher Bonus Fund.
46
47 5. The schools, and the Top Teachers, will be grouped in units of school
48 districts based on population and geographic proximity as determined by
49 DESE. Class size for Advanced Students shall be limited to 20 students.
50
51 6. The program will be administered by DESE.
52
53 7. All public elementary and secondary schools serving Missouri students
54 are required to participate in this program.
55
56 8. All school districts with students participating in this program shall make
57 no impediment or penalty for the Advanced Students and Top Teachers
58 participating in this program.
59
60 (1) Any violation of this provision shall cause a fine of \$5,000.00 per
61 instance to be levied against the offending school district and \$500.00 per
62 instance to be levied against each individual violator.
63 (2) All fines levied under this section shall be paid to the To Teachers Bonus
64 Fund.
65
66 9. This provision shall become effective on August 1 of the year following
67 passage.
68

Cost:	\$0.00
Source:	Any additional funding shall come from cuts to existing programs; individual school's sports programs.
Department:	Missouri Department of Elementary and Secondary Education (DESE)

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH028
EDUCATION COMMITTEE

Introduced by:	Hallie Thompson
Delegation:	Francis Howell
Title:	An Act To REQUIRE PUBLIC HIGH SCHOOLS TO EMPLOY COLLEGE AND CAREER COUNSELORS

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Every public high school in Missouri shall employ a college and career
3 counselor for every three hundred (300) high school students.
4
5 Section B:
6 College counselors are defined as counselors that specifically help students
7 to prepare for life beyond high school and help them to make crucial
8 decisions.
9
10 Section C:
11 The Department of Elementary and Secondary Education will enforce this
12 act.
13
14 Section D:
15 Any high school failing to provide such counselors shall lose one-fourtieth
16 (1/40) of their state funds, which will then be used to provide training for
17 their guidance counselors.
18
19 Section E:
20 This bill shall be effective two school years after passage.
21

Cost:	7,000,000
Source:	Counselors that do not fulfill the college and career counselor requirements will be educated with the fees from schools not complying with guidelines. Some of the money will be cut from the Business Level Administration fund, which is the largest of the support service funds.
Department:	Department of Elementary and Secondary Education

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH029
EDUCATION COMMITTEE

Introduced by:	Katie Wegman
Delegation:	Francis Howell Central
Title:	An Act To Require All School Districts in the State of Missouri to Establish an Early Childhood Education Center

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Chapter 160, RSMo, is amended by adding thereto one new section, to be
3 known as section 160.052, to read as follows:
4
5 160.052
6 All school districts in the state of Missouri are required to establish an early
7 childhood education center.
8
9 1. For the purpose of this bill the following terms shall be defined as:
10
11 (1). Early childhood education center, a tuition paid, pre-kindergarten school
12 for children of the ages three to five .
13
14 (2). School district, a geographic district, the public schools of which are
15 administered together.
16
17
18 (3). Superintendent, a person who oversees or directs a school district.
19
20 2. Each school district will build an early childhood education center by
21 January 1, 2010 . The centers will be open to all children within the
22 particular school district in which they reside. The age range for the centers
23 is three to five years.
24
25 3. The superintendent shall be in charge of overseeing the development and
26 the progress of the early childhood education center in their school district. If
27 a school district does not build an early childhood education center then it
28 will be fined one hundred thousand dollars per school year.
29
30 4. Funding for the building of the centers will be issued by grant money
31 obtained from state taxes. The salary for the teachers and paraprofessionals
32 that work in the centers will be paid by monies collected from the centers
33 tuition. Tuition is required in order to pay for the teachers and activities for

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH029

34 the center. Parents have a choice to send their children to the early childhood
35 education centers.

36
37 5. This bill shall be in effect on January 1, 2008 . Centers must be opened by
38 January 1, 2010
39

Cost:	21 million to 23.2 million dollars
Source:	Funds will be given in grants to the school districts through the state of Missouri for the cost of the building. The teachers and paraprofessionals will have their salaries paid through the tuition of the centers.
Department:	The superintendent of each school district will be in charge of the development of the early childhood education centers.

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH030

EDUCATION COMMITTEE

Introduced by:	Julie White
Delegation:	Francis Howell Central
Title:	An Act To to amend chapter 167 RSMo, by amending section 167.223 so that Missouri public high schools students can take postsecondary classes and receive both high school and college credit upon successful completion of the course without age discrimination.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A
- 2 Chapter 167,RSMo, is being amended to add one new section, to be known
- 3 as 167.223
- 4
- 5 1. As used in this section the following terms shall mean:
- 6
- 7 (1) "Public high school", as a service of a community, a school attending
- 8 after elementary school or junior high school and usually consisting of
- 9 grades nine (9) or ten (10) through twelve (12).
- 10 (2) "Postsecondary classes", as classes taken or accepted at public or private
- 11 colleges and universities.
- 12 (3) "Age Discrimination", as unequal treatment to a person due to the
- 13 person's age.
- 14
- 15 2. All public high schools, in cooperation with Missouri public community
- 16 colleges and public or private four-year colleges and universities, will offer
- 17 postsecondary course options to high school students. A postsecondary
- 18 course with out age discrimination allows eligible students to attend
- 19 vocational or academic classes on a college or university campus and receive
- 20 both high school and college credit upon successful completion of the course
- 21 provided it is an eligible part of the curriculum of both schools.
- 22 Offers all eligible public high school students in the state of Missouri will
- 23 have the option to take postsecondary classes. High school students that
- 24 completed the course successfully will receive both high school and college
- 25 credit. The Missouri community colleges and public or private four-year
- 26 colleges and universities cannot deny course credit to a student solely on the
- 27 basis of age.
- 28
- 29 Section B
- 30 The Missouri Department of Post Secondary Education will enforce this bill.
- 31 The Missouri community colleges, public or private four-year colleges or

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH030

32 universities that do not follow this bill, will loss 1% of state general funding
33 to the university.

34
35 Section C
36 This bill will go into effect January 1, the following year after passage.
37

Cost:	This change will not decrease state funding, rather decrease funding to the errant school, thus decreasing state spending.
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH031

EDUCATION COMMITTEE

Introduced by:	Caitlyn Wood Denise Winfield
Delegation:	Carondelet
Title:	An Act To change Saint Louis Public High Schools from Traditional scheduled calendars during the school years to balanced scheduled calendars during the school year.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 For the purpose of this bill, let the term "Traditional Schedule" be defined as
- 3 the average Nine month learning period with an average three month
- 4 summer vacation. Let the term "Balanced Calendar" be defined as year
- 5 round schooling consisting of a twelve month learning period with an
- 6 average five seasonal breaks.
- 7
- 8 Section B:
- 9 This bill applies to all Saint Louis Public School students. The bill will
- 10 enforce a "Balanced" Year Round School schedule as defined by the
- 11 National Association for Year Round Education (NAYRE). The Balanced
- 12 schedule will consist of a twelve month school year with five breaks, in
- 13 addition to Holidays and school closings; the breaks consist of: a fall break
- 14 of fifteen days, a thanksgiving break of three days, a winter break of fifteen
- 15 days, a spring break of fifteen days, and a summer break of thirty days.
- 16
- 17 Section C:
- 18 There is no state funding required. Teachers Salaries will remain the same
- 19 since the breaks are not paid vacations.
- 20
- 21 Section D:
- 22 This bill will be enforced by the Missouri Board of Education, as well as the
- 23 Saint Louis Board of Education.
- 24
- 25 Section E:
- 26 This bill will be made effective for the class of 2010 who will be juniors at
- 27 the start of the 2008 -2009 school year.
- 28

Cost:	0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH032
EDUCATION COMMITTEE

Introduced by:	Justin Winn
Delegation:	Mexico
Title:	An Act To Change the Compulsory Attendance Age

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 1. As used in this section, the following term means:
- 2
- 3 (1) "Compulsory attendance age", the age to which a student must receive an
- 4 approved education.
- 5
- 6 2. The compulsory attendance age for Missouri students will officially be
- 7 seventeen years of age.
- 8
- 9 3. This bill will take effect at the beginning of the 2008-2009 academic year.
- 10
- 11 4. This bill will not affect students between sixteen and seventeen years of at
- 12 the beginning of the 2008-2009 academic year.
- 13

Cost:	\$0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH033
EDUCATION COMMITTEE

Introduced by:	Peter Brown Jeff Tiemann
Delegation:	Carondelet
Title:	An Act To Provide money for Missouri citizens who attend public post-secondary educational institutions in The State of Missouri.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 All businesses registered to do business in the state of Missouri which
- 3 register a profit in the fiscal year prior to the current fiscal year must pay an
- 4 additional 1% tax to the Missouri Department of Revenue.
- 5
- 6 Section B:
- 7 This tax will be based upon the total tax paid for that current year.
- 8
- 9 Section C:
- 10 The Missouri Department of Revenue will transfer the total amount
- 11 accumulated from this tax by the beginning of the next fiscal year to the
- 12 Missouri Department of Higher Education.
- 13
- 14 Section D:
- 15 The Missouri Department of Higher Education will distribute the money to
- 16 all Missouri State Post-Secondary institutions according to the school's
- 17 student population.
- 18
- 19 Section E:
- 20 Each Missouri State Post-Secondary Institution will distribute their share of
- 21 the money equally to each student.
- 22
- 23 Section F:
- 24 This legislation will go into effect 60 days after is passage.
- 25

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

**LEWISHOUSE #LH033
EDUCATION COMMITTEE**

Introduced by:	Katie Hvarven
Delegation:	Francis Howell Central
Title:	An Act To amend RSMo chapter 167.029 to wear school uniforms at Elementary and Middle public school.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 section A
- 2 1. chapter 167.029 RSMo, is repeled and one new section enacted in lieu
- 3 thereof to know 167.029 to read as follows:
- 4 For the purposes of this bill the following terms will mean:
- 5 (1)"public shools" a school that is maintained at public expense for the
- 6 education of the children of community or district and that constitutes a part
- 7 of a system of free public education commonly including primary and
- 8 secondary school.
- 9 (2)"Elenmentary school"A school for the first four to eight yaers of a chiled's
- 10 formal education ,often including kindergarten
- 11 (3)"Middle school" a intermdiate school between elementary school and high
- 12 school usually encompassing grades five and six through eight
- 13 2. 167.029
- 14 A public school District in any city not within a contery shall [deterymine
- 15 whether]"Requirie a drass code policy requiring pupids to wear uniforms is
- 16 appropriate at Elementray and Middle school or schools within such a
- 17 distiroct [and if it is so determined] shall adopt such a policy. The school
- 18 district may determine the style and color of the school uinforms
- 19 (3)This bill will be enforced by the Depratment of Elementray and
- 20 Seconadry Education .
- 21 (4)THis bill will go to effect in the year 2008-2009 school year.

Cost:	negligible
Source:	negligible
Department:	This bill will be enforced by the Depratment of Elementray and Seconadry Education

MISSOURI YMCA GENERAL ASSEMBLY

**LEWISHOUSE #LH041
HEALTH COMMITTEE**

Introduced by:	Kristin Brown Andy Hellwig
Delegation:	Rockwood Summit
Title:	An Act To Legalize Dignified Death

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 SECTION 1. NECESSARY DEFINITIONS
- 2 (1) "Adult" means an individual who is 18 years of age or older.
- 3
- 4 (2) "Capable" means that in the opinion of a court or in the opinion of the
- 5 patient's attending physician or consulting physician, psychiatrist or
- 6 psychologist, a patient has the ability to make and communicate health care
- 7 decisions to health care providers, including communication through persons
- 8 familiar with the patient's manner of communicating if those persons are
- 9 available.
- 10
- 11 (3) "Health care provider" means a person licensed, certified or otherwise
- 12 authorized or permitted by the law of this state to administer health care or
- 13 dispense medication in the ordinary course of business or practice of a
- 14 profession, and includes a health care facility.
- 15
- 16 (4) "Patient" means a person who is under the care of a physician.
- 17
- 18 (5) "Physician" means a doctor of medicine or osteopathy licensed to
- 19 practice medicine by the Board of Medical Examiners for the State of
- 20 Missouri.
- 21
- 22 (6) "Terminal disease" means an incurable and irreversible disease that has
- 23 been medically confirmed and will, within reasonable medical judgment,
- 24 produce death within six months.
- 25
- 26 SECTION 2. TITLE.
- 27 Dignified Death Act
- 28
- 29 SECTION 3. PURPOSES
- 30 (1) To avoid prolonged dying process;
- 31 (2) To help the patient to receive adequate pain and symptom management;
- 32 (3) To help the patient achieve a sense of control;
- 33 (4) To help the patient relieve burdens on loved ones
- 34

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH041

35 SECTION 4. ELIGIBILITY.

36 An individual may participate in the act if he or she

37 (1) 18 years of age or older;

38 (2) a resident of Missouri;

39 (3) capable of making and communicating health care decisions for
40 him/herself;

41 (4) diagnosed with a terminal illness that will lead to death within six
42 months.

43 It is up to the attending physician to determine whether these criteria have
44 been met.

45
46 SECTION 5. TERMS AND BENEFITS OF SERVICE.

47 The patient must meet certain criteria to be able to request to participate in
48 the Act. Then, the following steps must be fulfilled:

49 (1) the patient must make two oral requests to the attending physician,
50 separated by at least 15 days;

51 (2) the patient must provide a written request to the attending physician,
52 signed in the presence of two witnesses, at least one of whom is not related
53 to the patient;

54 (3) the attending physician and a consulting physician must confirm the
55 patient's diagnosis and prognosis;

56 (4) the attending physician and a consulting physician must determine
57 whether the patient is capable of making and communicating health care
58 decisions for him/herself;

59 (5) if either physician believes the patient's judgment is impaired by a
60 psychiatric or psychological disorder (such as depression), the patient must
61 be referred for a psychological examination;

62 (6) the attending physician must inform the patient of feasible alternatives to
63 the Act including comfort care, hospice care, and pain control;

64 (7) the attending physician must request, but may not require, the patient to
65 notify their next-of-kin of the prescription request. A patient can rescind a
66 request at any time and in any manner. The attending physician will also
67 offer the patient an opportunity to rescind his/her request at the end of the
68 15-day waiting period following the initial request to participate.

69
70 SECTION 6. FUNDING

71 Patients will cover cost of the prescription, doctor's office visits, and
72 psychological consultation if needed, unless the individual insurance
73 companies decide to cover the cost. The bill leaves it entirely up to the
74 individual insurance care providers if they want to cover the Dignified Death
75 Act or not.

76
77 SECTION 7. ADMINISTRATION.

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH041

78 If a physician permits any infraction upon the strict rules of the act, the
79 Missouri Department of Health and Human Services will notify the Board of
80 Medical Examiners of any deviations. If a formal investigation is warranted
81 by the Board of Medical Examiners, physicians might be subject to
82 disciplinary action.

83
84 SECTION 8. AUTHORIZATION OF APPROPRIATIONS:

85 For purposes of carrying out the Dignified Death Act, there should be funds
86 appropriated each fiscal year for the Missouri Department of Health and
87 Human Services to oversee the administration of the bill.

88
89

Cost:	10,000.00
Source:	Those insurance companies who will agree to add on The Dignified Death Act to their policies, will have an added fee to their policy, in addition to the fees that they will need to cover their patients in the event that the patient decides to pursue and does indeed meet all the criterion of the act, the costs of the proposed legislation will be covered. These proposed fees will be included with the overall fee a patient must pay for health insurance.
Department:	Health and Human Services

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH042
HEALTH COMMITTEE

Introduced by:	Shawn Buescher
Delegation:	Francis Howell Central
Title:	An Act To raise taxation on the sales on all tobacco products.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 All sales of tobacco products shall be increased by ten(10) cents. Tobacco
2 products to be included are cigarettes snuff cigars and chewing tobacco. For
3 the purpose of this bill sales shall be definThe exchange of goods or services
4 for an amount of money or its equivalent; the act of selling. and products
5 shall be known as Something produced by human or mechanical effort or by
6 a natural process. This bill shall take effect one (1) year after passage.
7

Cost:	\$0
Source:	N/A
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH043
HEALTH COMMITTEE

Introduced by:	Hannah Carlson
Delegation:	Francis Howell
Title:	An Act To Require Licensure For A Wider Range Of Child Care Services

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 Section A. Chapter 210.211 RSMo shall be amended to read as follows:
3 210.211.1. It shall be unlawful for any person to establish, maintain
4 or
5 operate a child-care OR BABYSITTING SERVICE [facility] for children,
6 Or to advertise or hold himself or herself out as being able to perform any of
7 The services as defined in section, without having in effect a written
8 License granted by the department of health and senior services; except that
9 Nothing in sections 210.203 to 210.245 shall apply to:
10 (1) Any person who is caring for ONE (1) [two] or more children. For
11 purposes of this subdivision, children who are related by blood, marriage or
12 adoption to such a person within the third degree shall not be considered in
13 the total number of children being cared for; (2) Any person who has been
14 duly appointed by a court of competent jurisdiction the guardian of the
15 person of the child or children, or the person who has legal custody of the
16 child or children;
17 (3)Any person who receives free of charge, and not as a business, for periods
18 not exceeding FOURTEEN [nineteen] consecutive days, as a bona fide,
19 occasional and personal guest the child or children of personal friends of
20 such a person, and who receives custody of no other unrelated child or
21 children;
22 [(4) Any graded boarding school, summer camp, hospital, sanitarium or
23 home which is conducted in good faith primarily to provide education,
24 recreation, medical treatment, or nursing or convalescent care for children;
25 (5) Any child-care facility maintained or operated under the exclusive
26 control of a religious organization. When a non-religious organization,
27 having as its principle purpose the provision of child-care services, enters
28 into an arrangement with a religious organization for the maintenance or
29 operation of a child-care facility, the facility is not under the exclusive
30 control of the religious organization;
31 (6) Any residential facility or day program licensed by the department of
32 mental health pursuant to sections 630.760, RSMo, which provides care,
33 treatment and habilitation exclusively to children who have a primary

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH043

34 diagnosis of mental disorder, mental illness, mental retardation or
35 developmental disability, as defined in section 630.005, RSMo; and
36 (7) Any nursery school.]

37
38 Section B:
39 Babysitters and child care giver shall be licensed by the state after
40 completing a minimal skills course prescribed by the Department of Health
41 and Human Services under regulations to be published by said department.
42 The department or its designees shall charge a fee for said course in an
43 amount that will offset the costs of providing this course.

44
45 Section C:
46 The department or its designees shall charge a fee for said course in an
47 amount that will offset the costs of providing this course.

48
49 Section D:
50 This bill shall become effective six months after passage.
51
52

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH044

HEALTH COMMITTEE

Introduced by:	Sarah Ferrie Josh Scharff
Delegation:	Ladue
Title:	Any Willng Provider Act

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 1. This act shall be known, and may be cited, as the “Any Willing
3 Provider Act”.
- 4 2. Shall be added to Missouri Statute 375.1178.
- 5 3. As used in this section the following terms shall mean:
- 6 a. Provider: public or private entities that provide health insurance.
- 7 b. Participating Provider: Insurance provider participating in the state
8 program.
- 9 c. Participating Provider Contract: Agreement between a provider and
10 the in.
- 11 d. Managed Care Organization: entities licensed by the State of
12 Missouri to provide health care services.
- 13 e. Member: person who receives health insurance coverage from a
14 provider.
- 15 4. Any managed care organization issuing health pursuant to the
16 provisions of this chapter shall be ready and willing at all times to enter into
17 care provider service agreements with all qualified providers of the category
18 or categories which are necessary to provide the health care services covered
19 by an organization.
- 20 5. Nothing in this section shall preclude an organization from refusing
21 to contract with a provider who is unqualified or who does not meet the
22 terms and conditions of the organization’s participating provider contract or
23 from terminating or refusing to renew the contract of a health care provider
24 who is unqualified or who does not comply with, or who refuses to comply
25 with the terms and conditions of the participating provider contract
26 including, but not limited to, practice standards and quality requirements.
27 The contract shall provide for written notice to the participating health care
28 provider setting forth any breach of contract for which the organization
29 proposed that the contract be terminated or not renewed and shall provide for
30 a reasonable period of time for the participating health care provider to cure
31 such breach prior to termination or non-renewal. If the breach of contract for
32 which the organization proposes that the contract be terminated or not
33 renewed is a willful breach, fraud, or a breach which poses an immediate

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH044

34 danger to the public health or safety, the contract may be terminated or not
35 renewed immediately.

36 6. No managed care organization may require as an element of any
37 provider contract that any person agree:

38 a. To deny a member access to services not covered by the managed
39 care plan if the member is informed that he will be responsible to pay for the
40 non-covered services and the member nonetheless desires to obtain such
41 services;

42 b. To refrain from treating a member even at that member’s request
43 and expense if the provider has been, but is no longer, a contracting provider
44 under the managed care plan and the provider has notified the member that
45 the provider is no longer a contracting provider under the managed care plan;

46 c. To the un-negotiated adjustment by the managed care organization
47 of the provider’s contractual reimbursement rate to equal the lowest
48 reimbursement rat the provider has agreed to charge any other payer.

49 d. To a requirement that the provider adjust, or enter into negotiations
50 to adjust, his or her charges to the managed care organization if the provider
51 agrees to charge another payer lower rates; or

52 e. To a reimbursement that the provider disclose his or her contractual
53 reimbursement rates from other payers.

54 7. A managed care organization shall not refuse to contract with or
55 compensate for covered services an otherwise eligible provider or
56 nonparticipating provider solely because the provider has in good faith
57 communicated with one (1) or more current, former, or prospective patient
58 regarding the provisions, terms or requirements of the organization’s
59 products as they relate to the needs of the provider’s patients.

60 8. As part of a provider contract, a managed care organization may
61 require a provider to indemnify and hold harmless the managed care
62 organization under certain circumstances so long as the managed care
63 organization also agrees to indemnify and hold harmless the provider under
64 comparable circumstances.

65 9. On request and within a reasonable time, a managed care
66 organization shall make available to any party to a provider contract any
67 documents referred to or adopted by a reference in the contract except for
68 information, which is proprietary or a trade secret or confidential personnel
69 records.

70 10. A managed care organization shall permit a contracting provider
71 who is practicing in conformity with community standards to advocate for
72 his patient without being subject to termination or penalty for the sole reason
73 of such advocacy.

74
75
76

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH044

Cost:	\$0
Source:	
Department:	Department of Health

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH045
HEALTH COMMITTEE

Introduced by:	Jordan Geisel
Delegation:	Francis Howell Central
Title:	An Act To Amend Chapter 459, RSMo, By Adding There to One New Section Relating To Physician Assisted Suicide

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Chapter 459, RSMo, is amended thereto by adding one new section, to be
3 known as section 459.012, to read as follows:
4
5 459.012
6 1. As used in this section, the following terms shall be known as:
7
8 (1) "Physician Assisted Suicide", the voluntary termination of one's own life
9 by a procedure in which a physician facilitates a patient's death by providing
10 the necessary means.
11
12 (2) "Adult", any Missouri citizen;
13 (a) eighteen years of age or older;
14 (c) who is of sound mind
15 (d) and is able to receive and evaluate information and to communicate a
16 decision.
17
18 (3) "Patient", anyone under the care of a physician.
19
20 (4) "Physician", a doctor of medicine licensed to practice medicine by the
21 Board of Medical Examiners for the state of Missouri.
22
23 (5) "Attending Physician", a doctor who has primary responsibility for the
24 treatment and care of the patient.
25
26 (6) "Consulting Physician", a doctor who is qualified by specialty or
27 experience to make a diagnosis;
28 (a) and give correct information about the diagnosis and possible treatments.
29
30 (7) "Psychiatrist", a doctor who diagnoses and treats mental and emotional
31 conditions.
32
33 (8) "Informed Decision", a decision made by the patient;

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH045

- 34 (a) to request and obtain a prescription to end his or her life in a humane
35 manner;
36 (b) after receiving detailed information on the disease and possible
37 alternative treatments, including but not limited to, pain control, hospice, and
38 comfort care.
39
40 (9) "Medically Confirmed", the medical opinion of the attending physician,
41 (a) after being confirmed by a consulting physician who has examined the
42 patient and their relevant medical records.
43
44 (10) "Terminal Condition", an incurable or irreversible condition,
45 (a) which, in the opinion of the attending physician, is such that death will
46 occur within a short time;
47 (b) regardless of the application of medical procedures.
48
49 2. An adult patient must be diagnosed and medically confirmed, by a
50 consulting and attending physician, to have a terminal condition. The patient
51 must verbally express the desire, and then request, to participate in a
52 physician assisted suicide while in the presence of a physician. This must be
53 verbally expressed and documented on paper with the patient's signature or
54 via vocal recording on at least two occasions. After two requests have been
55 documented, the consulting physician must discuss the disease, how the
56 disease will progress over time, and possible treatments, including but not
57 limited to pain control or hospice with said patient. Following this
58 consultation, the patient, as well as the consulting physician must sign a form
59 stating that the meeting has taken place and that the proper information has
60 been given to the patient. After documentation of the requests and
61 consultation, the patient must be evaluated by a psychiatrist. The
62 psychiatrist must confirm that the patient is mentally stable and has made an
63 informed decision to die that has not been influenced by any mental disorder.
64 It is then the patient's duty to find a physician to perform the procedure. The
65 physician performing the procedure must have copies of all of the
66 documentation including the requests, consultations, and evaluations that the
67 patient has undergone. Following these steps, a physician assisted suicide is
68 permitted.
69
70 3. The physician assisted suicide would be paid for in full by the patient
71 and/or family. Insurance will not cover the procedure that directly causes
72 the patient's death; however, the cost of the consultations and medical
73 treatment/care prior to the procedure, will receive the coverage with the
74 insurance plan, including Medicaid or Medicare coverage.
75

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH045

76 4. This bill will be regulated and monitored by the Missouri State Board of
77 Registration for the Healing Arts. If a physician is found performing this
78 procedure without the proper documentation, said physician will lose the
79 ability to perform this procedure. If they continue to perform the procedure,
80 they will lose their medical license for one year.

81
82 5. This bill shall take effect exactly one year after passage.
83
84

Cost:	0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH046

HEALTH COMMITTEE

Introduced by:	Julianne Martin Ashley George
Delegation:	Lindbergh
Title:	An Act To mandate the use of air purifiers in all public places where smoking is permitted.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section One:
2 The air purifiers used will reduce the negative effects of second hand smoke
3 on worker and customers. The public places will be defined as, but not
4 limited to, restaurants, bars, casinos, and sections of hotels. Second hand
5 smoke is a mixture of the smoke given off by the burning end of a cigarette,
6 pipe, or cigar and the smoke exhaled from the lungs of smokers, as defined
7 by the American Lung Association. Air purifiers are air cleaners that remove
8 airborne pollutants including dust, tobacco smoke, allergens, and viruses,
9 leaving a healthier environment for everyone.

10 Section Two:
11 Second hand smoke is involuntarily inhaled by nonsmokers, lingers in the air
12 hours after cigarettes have been extinguished and can cause or exacerbate a
13 wide range of adverse health effects, including cancer, respiratory infections,
14 and asthma. Second hand smoke has been classified by the Environmental
15 Protection Agency as a known cause of cancer in humans. Secondhand
16 smoke causes approximately 3,400 lung cancer deaths and 46,000 heart
17 disease deaths in adult nonsmokers in the US each year. Secondhand smoke
18 contains hundreds of chemicals known to be toxic or carcinogenic, including
19 formaldehyde, benzene, vinyl chloride, arsenic ammonia and hydrogen
20 cyanide. Levels of ETS in restaurants and bars were found to be 2-5 times
21 higher than in residences with smokers. Secondhand smoke is responsible
22 for between 150,000 and 300,000 lower respiratory tract infections in infants
23 and children under 18 months of age, resulting in between 7,500 and 15,000
24 hospitalizations each year, and causes 430 sudden infant death syndrome
25 deaths in the US annually. Secondhand smoke causes buildup of fluid in the
26 middle ear, resulting in 790,000 physician office visits per year. Secondhand
27 smoke aggravates symptoms in 400,000 to 1,000,000 children with asthma.
28 Short exposures to secondhand smoke can cause blood platelets to become
29 stickier, damage the lining of blood vessels, decrease coronary flow velocity
30 reserves, and reduce heart rate variability, potentially increasing the risk of
31 heart attack.

32 Section Three:

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH046

33 This bill will mandate that every public place where smoking is permitted
34 will have air purifiers. Each Honeywell Air Purifier costs \$229.95 and will
35 be bought independently by the business. If unable, the Bureau of Alcohol,
36 Tobacco, and Firearms will loan the money necessary to purchase the
37 amount of fans needed. The Bureau of Alcohol, Tobacco, and Firearms will
38 receive the money for loans by increasing Missouri’s cigarette tax by \$0.02.
39 The Honeywell Envicaire True HEPA Round Air Purifier can efficiently
40 clean the air in a room with the size of 17x22 feet. Each business must have
41 the proper amount of air purifiers depending on the size of the room being
42 filtered. If any establishment owner refuses to purchase the appropriate
43 amount of air purifiers, he/she shall receive a warning from a health
44 department official. If the owner still refuses to comply, he/she shall be
45 punished by imprisonment not exceeding six months and/or a fine not
46 exceeding \$2,000.
47 Section Four:
48 Mandating air purifiers will result in a better and safer working environment:
49 “By provding clean air, staffs are happier, less prone to illness and hay fever,
50 and enjoy a smoke-free workplace. Customers are more comfortable, so stay
51 longer and spend more.”
52 Section Five:
53 Air purifiers will promote more business because both smokers and non-
54 smokers have the freedom of choice, and will be more willing to go out to
55 eat when they can choose to be in a smoke-free environment, and not have to
56 give up the right to choose to smoke. Customers can smoke without harming
57 others around them or stopping others from going out to eat.
58

Cost:	\$229.95 per unit
Source:	Private funding from the individual establishments will cover the majority of the cost. The voters of the state of Missouri will be asked to vote for a \$0.02 cigarette tax increase to cover any additional costs.
Department:	Bureau of Alcohol, Tobacco, and Firearms

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH047

HEALTH COMMITTEE

Introduced by:	LeAnn Robley Vanessa Hays
Delegation:	Mexico
Title:	An Act To Prohibit All Smoking In Apartment Buildings.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: The purpose of this bill is to prohibit all smoking in all apartment
- 2 buildings. This would be enforced at all times. "Apartment" is defined as a
- 3 room or a group of related rooms, among similar sets in one building,
- 4 designed for use as a dwelling. "Smoking" is defined as the use of any legal
- 5 or illegal substance.
- 6
- 7 Section B: This bill will benefit the state of Missouri by lowering the second
- 8 hand smoke. It will also prevent damages caused to other inhabitants of the
- 9 apartments property. This also is helping with the safety of everyone else
- 10 living in the apartment.
- 11
- 12 Section C: The purpose of this bill is not only to help the apartment itself,
- 13 but to help the people who live in it. Second hand smoke can effect others
- 14 without their consent. This bill has no cost involved and will not need
- 15 funding.
- 16
- 17 Section D: This bill will go into effect on January 1, 2009.
- 18

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH048
HEALTH COMMITTEE

Introduced by:	Annie Kramer Laura Heck
Delegation:	Parkway South
Title:	AN ACT TO REQUIRE FRANCHISED FAST FOOD ESTABLISHMENTS IN MISSOURI TO LABEL PACKAGING AND MENUS WITH NUTRITIONAL INFORMATION

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 For the purpose of this bill, the term “nutritional information” will be
3 defined as information regarding the serving size and the amount per serving
4 of calories, calories from fat, total and saturated fat, cholesterol,
5 carbohydrates, and protein in the food sold to the consumer and the percent
6 daily value of each according to a two-thousand calorie diet. “Franchise”
7 shall be defined as an authorization granted to someone to sell or distribute a
8 company’s goods or services in a certain area. “Fast food establishments”
9 are legally designated as Limited-Service Eating Places, which are defined
10 as, “establishments primarily engaged in providing food services (except
11 snack and non alcoholic beverage bars) where patrons generally order or
12 select items and pay before eating. Food and drink may be consumed on
13 premises, taken out, or delivered to customers’ location.”
14
15 Section B:
16 All menus are required but not limited to display the amount of calories of
17 all menu items. The packaging used by fast food establishments in Missouri
18 are required to have nutritional information clearly visible and legible on
19 each individual package served to the consumer, as well as amount of
20 calories on menus displayed in and on the premises of the building (i.e. a
21 drive-thru service).
22
23 Section C:
24 A violation of this bill will result in a fine of 10% of the total profit made
25 during the period of known violation. Any fines collected will be forwarded
26 to the Missouri Department of Health and Human Services to help fund the
27 reinforcement of this bill. A .002% tax increase will be issued to fast food
28 establishments’ sales to fund this bill.
29
30 Section D:
31 This bill will be enforced by the Missouri Department of Health and Human

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH048

32 Services.
33
34 Section E:
35 This legislation goes into effect three years after the passage. The bill will
36 be reviewed after eight years. Franchised fast food establishments will be
37 inspected every six months after this bill goes into effect.
38

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH049
HEALTH COMMITTEE

Introduced by:	Matthew James Alec Sydlow
Delegation:	Parkway South
Title:	An Act To Amend Section 167.181 RSMo To Mandate Smallpox Vaccinations for Students Entering Missouri Public Schools

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 167.181. 1. The department of health and senior services, after consultation
2 with the department of elementary and secondary education, shall
3 promulgate rules and regulations governing the immunization against
4 poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis, diphtheria, [and]
5 hepatitis B, AND SMALLPOX, to be required of children attending public,
6 private, parochial or parish schools. Such rules and regulations may modify
7 the immunizations that are required of children in this subsection. The
8 immunizations required and the manner and frequency of their
9 administration shall conform to recognized standards of medical practice.
10 The department of health and senior services shall supervise and secure the
11 enforcement of the required immunization program.
12 2. It is unlawful for any student to attend school unless he has been
13 immunized as required under the rules and regulations of the department of
14 health and senior services, and can provide satisfactory evidence of such
15 immunization; except that if he produces satisfactory evidence of having
16 begun the process of immunization, he may continue to attend school as long
17 as the immunization process is being accomplished in the prescribed manner.
18 It is unlawful for any parent or guardian to refuse or neglect to have his child
19 immunized as required by this section, unless the child is properly exempted.
20 3. This section shall not apply to any child if one parent or guardian objects
21 in writing to his school administrator against the immunization of the child,
22 because of religious beliefs or medical contraindications. In cases where any
23 such objection is for reasons of medical contraindications, a statement from a
24 duly licensed physician must also be provided to the school administrator.
25 4. Each school superintendent, whether of a public, private, parochial or
26 parish school, shall cause to be prepared a record showing the immunization
27 status of every child enrolled in or attending a school under his jurisdiction.
28 The name of any parent or guardian who neglects or refuses to permit a
29 nonexempted child to be immunized against diseases as required by the rules
30 and regulations promulgated pursuant to the provisions of this section shall
31 be reported by the school superintendent to the department of health and
32 senior services.

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH049

33 5. The immunization required may be done by any duly licensed physician
34 or by someone under his direction. If the parent or guardian is unable to pay,
35 the child shall be immunized at public expense by a physician or nurse at or
36 from the county, district, city public health center or a school nurse or by a
37 nurse or physician in the private office or clinic of the child's personal
38 physician with the costs of immunization paid through the state Medicaid
39 program, private insurance or in a manner to be determined by the
40 department of health and senior services subject to state and federal
41 appropriations, and after consultation with the school superintendent and the
42 advisory committee established in section 192.630, RSMo. When a child
43 receives his or her immunization, the treating physician may also administer
44 the appropriate fluoride treatment to the child's teeth.
45 6. Funds for the administration of this section and for the purchase of
46 vaccines for children of families unable to afford them shall be appropriated
47 to the department of health and senior services from general revenue or from
48 federal funds if available.
49 7. No rule or portion of a rule promulgated under the authority of this section
50 shall become effective unless it has been promulgated pursuant to the
51 provisions of chapter 536, RSMo. Any rule or portion of a rule, as that term
52 is defined in section 536.010, RSMo, that is created under the authority
53 delegated in this section shall become effective only if it complies with and
54 is subject to all of the provisions of chapter 536, RSMo, and, if applicable,
55 section 536.028, RSMo. This section and chapter 536, RSMo, are
56 nonseverable and if any of the powers vested with the general assembly
57 pursuant to chapter 536, RSMo, to review, to delay the effective date or to
58 disapprove and annul a rule are subsequently held unconstitutional, then the
59 grant of rulemaking authority and any rule proposed or adopted after August
60 28, 2001, shall be invalid and void.

Cost:	0
Source:	
Department:	Departments of Health, and Education.

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH050

HEALTH COMMITTEE

Introduced by:	Andrew Williams Jacob Kirm
Delegation:	Parkway South
Title:	AN ACT TO BAN ALL PUBLIC USE OF TOBACCO PRODUCTS.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A. For the purpose of this bill, the term "ban" shall be defined as the
- 2 prohibition of the use of the banned substance. "Public" shall refer to an area
- 3 accessible to and shared by all community members. "Tobacco products"
- 4 shall refer to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco
- 5
- 6 Section B. Public use of tobacco products will be illegal.
- 7
- 8 Section C. Local police departments and local county sheriff departments
- 9 will enforce this ban and issue fines. The Department of Health and Senior
- 10 Services will conduct inspections of enforcement every six months.
- 11
- 12 Section D. Failure to comply with this ban will result in a fine of five-
- 13 hundred dollars. The money collected from the enforcement of the ban will
- 14 be used for Education and anti-tobacco programs in school.
- 15
- 16 Section E. This legislation does not require funding.
- 17
- 18 Section F. This legislation shall go into effect immediately after passage.
- 19
- 20

Cost:	0
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH051

HEALTH COMMITTEE

Introduced by:	Caitlin McIsaac Kathryn Perll
Delegation:	Mexico
Title:	An Act To ban smoking in all public restaurants in Missouri.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: This act shall be referred to as Clean Public Restaurant Air Act.
- 2 For the purpose of this bill, "smoking" shall refer to as inhalation of
- 3 nicotine. "Public" shall refer to anything off private property. "Restaurant"
- 4 shall refer to an establishment where meals are served to customers. This act
- 5 will allow customers to be comfortable and enjoy their meal without putting
- 6 their health at risk.
- 7
- 8 Section B: No human being is allowed to smoke Nicotine at any public
- 9 restaurant.
- 10
- 11 Section C: Every restaurant owner or manager will enforce this act. If the
- 12 customer does not comply immediately, then the local police department will
- 13 be contacted, and he or she will be charged with a violation.
- 14
- 15 Section D: The following are penalties that will be enforced upon the
- 16 violator:
- 17 First Offense: Will be fined three-hundred dollars that will be distributed to
- 18 environmental funds, the police/government, and medical research funding.
- 19 Second Offense: Will be fined six-hundred dollars and will be distributed to
- 20 the previous statement.
- 21 Third Offense: Will be seven-hundred and fifty dollars and will also be
- 22 distributed to previous statement. Will spend 15 days in jail determined by a
- 23 judge.
- 24
- 25 Section E: No funding is required; due to the fact that the police will be
- 26 forcing this law.
- 27
- 28 Section F: This legislation will go into effect immediately after passage.
- 29

Cost:	\$0.00
Source:	
Department:	The Police

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH052

HEALTH COMMITTEE

Introduced by:	Robert Fischer
Delegation:	Carondelet
Title:	An Act To Repeal Sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030, 565.032, 565.035, and 565.040, RSMo, and to enact one new section relating to repealing the death penalty.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 Sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740,
3 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030,
4 565.032, 565.035, and 565.040, RSMo, are repealed and one section shall
5 be enacted to be known as section 565.040 to read as follows:
6 565.040 [1. In the event that the death penalty provided in this chapter is
7 held to be unconstitutional,] Any person convicted of murder in the first
8 degree shall be sentenced to life imprisonment without eligibility for
9 probation, parole, or release except by act of the governor [, with the
10 exception that when a specific aggravating circumstance found in a case is
11 held to be unconstitutional or invalid for another reason, the supreme court
12 of Missouri is further authorized to remand the case for re-sentencing or
13 retrial of the punishment pursuant to subsection 5 of section 565.036.
14 2. In the event that any death sentence imposed pursuant to this chapter is
15 held to be unconstitutional, the trial court which perviously sentenced the
16 defendant to death shall cause the defendant to be brought before the court
17 and shall sentence the defendant to life imprisonment without eligibility for
18 probation, parole, or release except by act of the governor, with the
19 exception that when a specific aggravating circumstance found in a case is
20 held to be inapplicable, unconstitutional or invalid for another reason, the
21 supreme court of Missouri is further authorized to remand the case for retrial
22 of the punishment pursuant to subsection 5 of section 565.035].
23

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH053

HEALTH COMMITTEE

Introduced by:	Charles Chau
Delegation:	Columbia
Title:	An Act To repeal NO. 30, Senate Joint Resolution, by replacing and banning the research of embryonic stem cells with adult stem cells.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:
2 No. 30, SJR, is to be repealed and replaced by No. 30.7, to be read as
3 follows:
4 30.7
5
6 1. This section shall be known and cited as “Embryonic Stem Cells
7 Replacement Act.”
8
9 2. For purposes of this bill, the following terms shall be defined as:
10
11 (1). “Embryonic Stem Cells” shall be defined as stem cells taken from an
12 embryo in a woman’s early stages of pregnancy (4-7 days), in which it is a
13 blastocyst.
14 (2). “Adult Stem Cells” shall be defined as stem cells taken from a live
15 human using the tissues from a brain, bone marrow, skeletal muscle, skin
16 and liver
17
18 3. Be enacted that all research related facilities pertaining to the usage of
19 embryonic stem cells be closed down within 6 months after passage. Any
20 sort of research pertaining to the development for embryonic stem cells will
21 be prohibited as well. All embryonic stem cell research related facilities
22 would then be re-opened for adult stem cell
23
24 4. In order to comply with this act, the state must shut down and confiscate
25 all materials within the research facilities relating to research and practices of
26 embryonic stem cells.
27
28 The Department of Public Health and the local law enforcement officials
29 have the power to enforce this act.
30
31 5. Violation of this act will have the violator charged for at least 30 days in
32 prison as well as pay a minimum fine of at least \$10,000.
33

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH053

34 6. Funding will come from 50% of the fines in violation of this bill as well as
35 income tax. An income tax of .5% will be raised for all taxpayers whom
36 make an annual sum of over \$150,000. All funding from this act will go into
37 the research of adult stem cells.

38
39 7. This bill will go into effect 60 days after passage.
40
41

Cost:	\$22,740,878,850
Source:	New taxes
Department:	Department of Public Health

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH061

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Kelsey Lenz Lynette Atkinson
Delegation:	Ladue
Title:	An Act To AN ACT TO AMEND SECTION 195.233, RSMO, AND ADD THERETO TWO NEW SECTIONS DETAILING THE ACTION TO BE TAKEN BY STATE AUTHORITIES IN THE CASE OF A DRUG OFFENDER THAT IS A MINOR.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 SECTION A:
2 Section 195.233, RSMo is to be amended as follows:
3 1. It is unlawful for any person to use, or to possess with intent to use, drug
4 paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture,
5 compound, convert, produce, process, prepare, test, analyze, pack, repack,
6 store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the
7 human body a controlled substance or an imitation controlled substance in
8 violation of sections 195.005 to 195.425.
9
10 2. [A person] AN ADULT who violates this section is guilty of a class A
11 misdemeanor, unless the person uses, or possesses with intent to use, the
12 paraphernalia in combination with each other to manufacture, compound,
13 produce, prepare, test or analyze amphetamine or methamphetamine or any
14 of their analogues in which case the violation of this section is a class D
15 felony.
16
17 And by adding thereto two clauses, to read as follows:
18
19 3. As used in this section the following terms mean:
20
21 (1)“Minor” – any person under the age of 18
22 (2)“Drug education class” – An educational rehabilitation program provided
23 by the Missouri Drug Court Program.
24 (3) “Drug”-
25 a. Substances recognized as drugs in the official United States
26 Pharmacopeia, Official National Formulary, or any supplement to any of
27 them;
28 b. Substances intended for use in the diagnosis, cure, mitigation, treatment,
29 or prevention of disease in humans or animals;

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH061

- 30 c. Substances, other than food, intended to affect the structure of any
 31 function of the body of humans or animals; and
 32 d. Substances intended for use as a component of any article specified in this
 33 subdivision. It does not include devices or their components, parts or
 34 accessories;
 35
 36 4. Any minor who violates and is found guilty of violating this clause of
 37 section (195.233) is to immediately be put under the watch of a designated
 38 parole officer, who is to perform drug tests on the minor, once, every other
 39 week, for [at least] six months. The minor will also be required to attend a
 40 [state funded, and available] drug education class, as provided by the
 41 Missouri Drug Court program, and will be required to perform a minimum
 42 of 30 hours of community service, related to the offense, within that 6
 43 months. If deemed necessary a judge can mandate community service up to
 44 40 hours within that period, or to extend the amount of time the minor is
 45 under the watch of the parole officer. The minor will also be required to
 46 attend school, and will be under surveillance of school administrators as well
 47 as the designated parole officer.
 48
 49 5. If the minor is found to be violating clause 1 of section (195.233), during
 50 the period of time, designated by a judge, that he/she is to be watched and
 51 educated, the minor will be guilty of a Class A misdemeanor, and is subject
 52 to being put on trial as a repeat offender.
 53
 54 6. The state/area police department, in conjunction with the state/area
 55 judicial department, and the minor's educational facility are to carry out the
 56 actions outlined in this section.
 57
 58 7. This will be enacted on July 1, 2008.
 59
 60 8. This bill, if passed, will not cost any excess money to the state. Convicted
 61 juveniles will be turned over to the Missouri Drug Court program, and they
 62 will complete their sentence in that program. This program is already funded
 63 and would cover any costs incurred by the passage of this bill. To send an
 64 individual to jail would, on average, cost \$14,005 whereas the average cost
 65 for a drug court participant costs \$6,190, which results in an average annual
 66 savings of \$7,815 per person.
 67
 68

Cost:	0
Source:	
Department:	Department of Revenue

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH062

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Sara Baumann
Delegation:	Parkway South
Title:	An Act To have a statewide curfew law for people between the ages of 13 and 16 between the times of 1:00a.m. and 5:00a.m unless accompanied by a parent or guardian.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
 2 Let "curfew" mean the times in which a person can not be out in public; on
 3 the streets, in a restaurant, and so forth. For the purpose of this bill let
 4 "parent or guardian" be a person with legal custody of the person between
 5 the ages of 13 and 16.
 6
 7 Section B:
 8 From 12:00a.m. on the date of a person's 13 birthday, through out the state,
 9 they must be off public property between 1:00 and 5:00a.m. unless
 10 accompanied by a parent or guardian. If a parent or guardian is present, the
 11 person between 13 and 16 does not have to follow the 1:00a.m. curfew law.
 12 Once a person has reached the age of 17 they are to follow the curfew laws
 13 of the city they are in.
 14
 15 Section C:
 16 If a person between the ages of 13 and 16 is caught on public place between
 17 the hours of 1:00a.m. and 5:00a.m. they will be distributed a ticket. This
 18 ticket will cost \$15 on a first a offense. If there is a second offense \$15
 19 dollars will be added to the first offense ticket cost and will be \$30. Third,
 20 fourth, fifth, and so on offenses will be the pervious tickets cost plus \$15.
 21
 22 Section D:
 23 This law goes into affect three weeks after being passed. No one is
 24 grandfathered from this law.
 25
 26

Cost:	0
Source:	
Department:	Police Department

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH063

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Kathryn Campion
Delegation:	Parkway South
Title:	A Joint Resolution to Repeal Section 33, Article 1 of the Missouri Constitution.

BE IT RESOLVED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS: TO ENACT IN LIEU THEREOF IN THE NEW SECTION

- 1 1. Whereas the Missouri Constitution now states in Article 1, Section 1:
- 2 Equality of rights under the law shall not be denied or abridged by the
- 3 United States or by any state on account of sex.
- 4 2.
- 5 3. Whereas the Missouri Constitution now states in Article 1, Section 2:
- 6 The congress shall have the power to enforce, by appropriate
- 7 legislation, the provisions of this article.
- 8 4.
- 9 5. Now, therefore, be it resolved by the Senate and House of
- 10 Representatives of the United States of America in Congress assembled
- 11 (two-thirds of each House concurring therein), That the following
- 12 article is proposed as an amendment to the Constitution of the United
- 13 States, which shall be valid to all intents and purposes as part of the
- 14 Constitution when ratified by the legislatures of three-fourths of the
- 15 Several States:
- 16 6.
- 17 7. Be it resolved that Section A should be language repealing the
- 18 section in Article 1 of the Missouri Constitution that defines
- 19 marriage.
- 20 8. Be it resolved that Section 1 shall state: Equality of rights under
- 21 the law shall not be denied or abridges by the STATE OF MISSOURI on
- 22 account of sex, OR SEXUAL ORIENTATION.
- 23 9.
- 24 10. Be it resolved that Section 2 shall state: The GENERAL ASSEMBLY
- 25 shall have the power to enforce, by appropriate legislation, the
- 26 provisions of this article.
- 27

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH064

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Julia Carpenter
Delegation:	Ladue
Title:	An Act To Amend Sections 213.010.5, 213.010.19, 213.010.20, 213.030.1.1, 213.030.1.7, 213.030.1.9, 213.040.1.1, 213.040.1.2, 213.040.1.3, 213.040.1.4, 213.040.1.5, 213.045, 213.050, 213.055.1, 213.055.2, 213.055.3, 213.065.1, 213.065.2, 213.070.3, and 213.101 RSMo, by including sexual orientation and gender in the non-discrimination goals of the Human Rights Commission.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: Section 213.010.5, RSMo, is amended to read as follows:
- 2 213.010. As used in this chapter, the following terms shall mean: (5)
- 3 "Discrimination", any unfair treatment based on race, color, religion,
- 4 SEXUAL ORIENTATION, national origin, ancestry, GENDER IDENTITY,
- 5 sex, age as it relates to employment, disability, or familial status as it relates
- 6 to housing; Section B: Section 213.010.19, RSMo, is amended to read as
- 7 follows: 213.010. As used in this chapter, the following terms shall mean:
- 8 (19) "SEXUAL ORIENTATION", the direction of an individual's sexuality,
- 9 often classified according to the sex and/or gender of the people whom the
- 10 individual finds sexually attractive. Sexual orientation encompasses
- 11 heterosexuality, homosexuality, bisexuality, pansexuality, asexuality, and
- 12 queer. Section C: Section 213.010.20, RSMo, is amended to read as follows:
- 13 213.010. As used in this chapter, the following terms shall mean: (20)
- 14 "GENDER IDENTITY", the gender with which a person identifies, such as
- 15 man or woman, or along a continuum between femininity and masculinity.
- 16 This includes cisgendered (those whose gender is the same as their sex),
- 17 transgendered, genderqueer, and gender nonconforming. Section D: Section
- 18 213.030.1.1, RSMo, is amended to read as follows: 213.030. 1. The powers
- 19 and duties of the commission shall be: (1) To seek to eliminate and prevent
- 20 discrimination because of race, color, religion, SEXUAL ORIENTATION,
- 21 national origin, ancestry, GENDER IDENTITY, sex, age as it relates to
- 22 employment, disability, or familial status as it relates to housing and to take
- 23 other actions against discrimination because of race, color, religion,
- 24 SEXUAL ORIENTATION, national origin, ancestry, GENDER IDENTITY,
- 25 sex, age as it relates to employment, disability, or familial status as it relates
- 26 to housing as provided by law; and the commission is hereby given general
- 27 jurisdiction and power for such purposes; Section E: Section 213.030.1.7,
- 28 RSMo, is amended to read as follows: 213.030. 1. The powers and duties of

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH064

29 the commission shall be: (7) To receive, investigate, initiate, and pass upon
30 complaints alleging discrimination in employment, housing or in places of
31 public accommodations because of race, color, religion, SEXUAL
32 ORIENTATION, national origin, ancestry, GENDER IDENTITY, sex, age
33 as it relates to employment, disability, or familial status as it relates to
34 housing and to require the production for examination of any books, papers,
35 records, or other materials relating to any matter under investigation; Section
36 F: Section 213.030.1.9, RSMo, is amended to read as follows: 213.030. 1.
37 The powers and duties of the commission shall be: (9) To issue publications
38 and the results of studies and research which will tend to promote goodwill
39 and minimize or eliminate discrimination in housing, employment or in
40 places of public accommodation because of race, color, religion, SEXUAL
41 ORIENTATION, national origin, ancestry, GENDER IDENTITY, sex, age
42 as it relates to employment, disability, or familial status as it relates to
43 housing; Section G: Section 213.040.1.1, RSMo, is amended to read as
44 follows: 213.040. 1. It shall be an unlawful housing practice: (1) To refuse to
45 sell or rent after the making of a bona fide offer, to refuse to negotiate for the
46 sale or rental of, to deny or otherwise make unavailable, a dwelling to any
47 person because of race, color, religion, SEXUAL ORIENTATION, national
48 origin, ancestry, GENDER IDENTITY, sex, disability, or familial status;
49 Section H: Section 213.040.1.2, RSMo, is amended to read as follows:
50 213.040. 1. It shall be an unlawful housing practice: (2) To discriminate
51 against any person in the terms, conditions, or privileges of sale or rental of a
52 dwelling, or in the provision of services or facilities in connection therewith,
53 because of race, color, religion, SEXUAL ORIENTATION, national origin,
54 ancestry, GENDER IDENTITY, sex, disability, or familial status; Section I:
55 Section 213.040.1.3, RSMo, is amended to read as follows: 213.040. 1. It
56 shall be an unlawful housing practice: (3) To make, print, or publish, or
57 cause to be made, printed, or published any notice, statement or
58 advertisement, with respect to the sale or rental of a dwelling that indicates
59 any preference, limitation, or discrimination based on race, color, religion,
60 SEXUAL ORIENTATION, national origin, ancestry, GENDER IDENTITY,
61 sex, disability, or familial status, or an intention to make any such
62 preference, limitation, or discrimination; Section J: Section 213.040.1.4,
63 RSMo, is amended to read as follows: 213.040. 1. It shall be an unlawful
64 housing practice: (4) To represent to any person because of race, color,
65 religion, SEXUAL ORIENTATION, national origin, ancestry, GENDER
66 IDENTITY, sex, disability, or familial status that any dwelling is not
67 available for inspection, sale, or rental when such dwelling is in fact so
68 available; Section K: Section 213.040.1.5, RSMo, is amended to read as
69 follows: 213.040. 1. It shall be an unlawful housing practice: (5) To induce
70 or attempt to induce any person to sell or rent any dwelling by
71 representations regarding the entry or prospective entry into the

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH064

72 neighborhood of a person or persons of a particular race, color, religion,
73 SEXUAL ORIENTATION, national origin, ancestry, GENDER IDENTITY,
74 sex, disability, or familial status; Section L: Section 213.045, RSMo, is
75 amended to read as follows: 213.045. It shall be unlawful for any bank,
76 building and loan association, insurance company or other corporation,
77 association, firm or enterprise whose business consists in whole or in part in
78 the making of commercial real estate loans, to deny a loan or other financial
79 assistance because of race, color, religion, SEXUAL ORIENTATION,
80 national origin, ancestry, GENDER IDENTITY, sex, disability, or familial
81 status to a person applying therefor for the purpose of purchasing,
82 construction, improving, repairing, or maintaining a dwelling, or to
83 discriminate against him in fixing of the amount, interest rate, duration or
84 other terms or conditions of such loan or other financial assistance, because
85 of the race, color, religion, SEXUAL ORIENTATION, national origin,
86 ancestry, GENDER IDENTITY, sex, disability, or familial status of such
87 person or of any person associated with him in connection with such loan or
88 other financial assistance, or of the present or prospective owners, lessees,
89 tenants, or occupants, of the dwellings in relation to which such loan or other
90 financial assistance is to be made or given. Section M: Section 213.050,
91 RSMo, is amended to read as follows: 213.050. It shall be unlawful to deny
92 any person access to or membership or participation in any multiple listing
93 service, real estate brokers' organization or other service organization, or
94 facility relating to the business of selling or renting dwellings, on account of
95 race, color, religion, SEXUAL ORIENTATION, national origin, ancestry,
96 GENDER IDENTITY, sex, disability, or familial status. Section N: Section
97 213.055.1, RSMo, is amended to read as follows: 1. It shall be an unlawful
98 employment practice: (1) For an employer, because of the race, color,
99 religion, SEXUAL ORIENTATION, national origin, sex, ancestry,
100 GENDER IDENTITY, age or disability of any individual: (a) To fail or
101 refuse to hire or to discharge any individual, or otherwise to discriminate
102 against any individual with respect to his compensation, terms, conditions, or
103 privileges of employment, because of such individual's race, color, religion,
104 SEXUAL ORIENTATION, national origin, sex, ancestry, GENDER
105 IDENTITY, age or disability; (b) To limit, segregate, or classify his
106 employees or his employment applicants in any way which would deprive or
107 tend to deprive any individual of employment opportunities or otherwise
108 adversely affect his status as an employee, because of such individual's race,
109 color, religion, SEXUAL ORIENTATION, national origin, sex, ancestry,
110 GENDER IDENTITY, age or disability; (2) For a labor organization to
111 exclude or to expel from its membership any individual or to discriminate in
112 any way against any of its members or against any employer or any
113 individual employed by an employer because of race, color, religion,
114 SEXUAL ORIENTATION, national origin, sex, ancestry, GENDER

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115 IDENTITY, age or disability of any individual; or to limit, segregate, or
116 classify its membership, or to classify or fail or refuse to refer for
117 employment any individual, in any way which would deprive or tend to
118 deprive any individual of employment opportunities, or would limit such
119 employment opportunities or otherwise adversely affect his status as an
120 employee or as an applicant for employment, because of such individual's
121 race, color, religion, SEXUAL ORIENTATION, national origin, sex,
122 ancestry, GENDER IDENTITY, age or disability; or for any employer, labor
123 organization, or joint labor-management committee controlling
124 apprenticeship or other training or retraining, including on-the-job training
125 programs to discriminate against any individual because of his race, color,
126 religion, SEXUAL ORIENTATION, national origin, sex, ancestry,
127 GENDER IDENTITY, age or disability in admission to, or employment in,
128 any program established to provide apprenticeship or other training; (3) For
129 any employer or employment agency to print or circulate or cause to be
130 printed or circulated any statement, advertisement or publication, or to use
131 any form of application for employment or to make any inquiry in
132 connection with prospective employment, which expresses, directly or
133 indirectly, any limitation, specification, or discrimination, because of race,
134 color, religion, SEXUAL ORIENTATION, national origin, sex, ancestry,
135 GENDER IDENTITY, age or disability unless based upon a bona fide
136 occupational qualification or for an employment agency to fail or refuse to
137 refer for employment, or otherwise to discriminate against, any individual
138 because of his race, color, religion, SEXUAL ORIENTATION, national
139 origin, sex, ancestry, GENDER IDENTITY, age as it relates to employment,
140 or disability, or to classify or refer for employment any individual on the
141 basis of his race, color, religion, SEXUAL ORIENTATION, national origin,
142 sex, ancestry, GENDER IDENTITY, age or disability. Section O: Section
143 213.055.2, RSMo, is amended to read as follows: 2. Notwithstanding any
144 other provision of this chapter, it shall not be an unlawful employment
145 practice for an employer to apply different standards of compensation, or
146 different terms, conditions or privileges of employment pursuant to a bona
147 fide seniority or merit system, or a system which measures earnings by
148 quantity or quality of production or to employees who work in different
149 locations, provided that such differences or such systems are not the result of
150 an intention or a design to discriminate, and are not used to discriminate,
151 because of race, color, religion, SEXUAL ORIENTATION, national origin,
152 sex, ancestry, GENDER IDENTITY, age or disability, nor shall it be an
153 unlawful employment practice for an employer to give and to act upon the
154 results of any professionally developed ability test, provided that such test,
155 its administration, or action upon the results thereof, is not designed,
156 intended or used to discriminate because of race, color, religion, SEXUAL
157 ORIENTATION, national origin, sex, ancestry, GENDER IDENTITY, age

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH064

158 or disability. Section P: Section 213.055.3, RSMo, is amended to read as
159 follows: 3. Nothing contained in this chapter shall be interpreted to require
160 any employer, employment agency, labor organization, or joint labor-
161 management committee subject to this chapter to grant preferential treatment
162 to any individual or to any group because of the race, color, religion,
163 SEXUAL ORIENTATION, national origin, sex, ancestry, GENDER
164 IDENTITY, age or disability of such individual or group on account of an
165 imbalance which may exist with respect to the total number or percentage of
166 persons of any race, color, religion, SEXUAL ORIENTATION, national
167 origin, sex, ancestry, GENDER IDENTITY, age or disability employed by
168 any employer, referred or classified for employment by any employment
169 agency or labor organization, admitted to membership or classified by any
170 labor organization, or admitted to or employed in any apprenticeship or other
171 training program, in comparison with the total number or percentage of
172 persons of such race, color, religion, SEXUAL ORIENTATION, national
173 origin, sex, ancestry, GENDER IDENTITY, age or disability in any
174 community, state, section, or other area, or in the available workforce in any
175 community, state, section, or other area. Section Q: Section 213.065.1,
176 RSMo, is amended to read as follows: 1. All persons within the jurisdiction
177 of the state of Missouri are free and equal and shall be entitled to the full and
178 equal use and enjoyment within this state of any place of public
179 accommodation, as hereinafter defined, without discrimination or
180 segregation on the grounds of race, color, religion, SEXUAL
181 ORIENTATION, national origin, sex, ancestry, GENDER IDENTITY or
182 disability. Section R: Section 213.065.2, RSMo, is amended to read as
183 follows: 2. It is an unlawful discriminatory practice for any person, directly
184 or indirectly, to refuse, withhold from or deny any other person, or to attempt
185 to refuse, withhold from or deny any other person, any of the
186 accommodations, advantages, facilities, services, or privileges made
187 available in any place of public accommodation, as defined in section
188 213.010 and this section, or to segregate or discriminate against any such
189 person in the use thereof on the grounds of race, color, religion, SEXUAL
190 ORIENTATION, national origin, sex, ancestry, GENDER IDENTITY or
191 disability. Section S: Section 213.070.3, RSMo, is amended to read as
192 follows: 213.070. It shall be an unlawful discriminatory practice: (3) For the
193 state or any political subdivision of this state to discriminate on the basis of
194 race, color, religion, SEXUAL ORIENTATION, national origin, sex,
195 ancestry, GENDER IDENTITY, age, as it relates to employment, disability,
196 or familial status as it relates to housing; or Section T: Section 213.101,
197 RSMo, is amended to read as follows: The provisions of this chapter shall be
198 construed to accomplish the purposes thereof and any law inconsistent with
199 any provision of this chapter shall not apply. Nothing contained in this
200 chapter shall be deemed to repeal any of the provisions of any law of this

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH064

201 state relating to the discrimination because of race, color, religion, SEXUAL
202 ORIENTATION, national origin, GENDER IDENTITY, sex, ancestry, age,
203 disability, or familial status.
204

Cost:	\$0.00
Source:	
Department:	The Human Rights Commission under the Authority of the Department of Labor and Industrial Relations

MISSOURI YMCA GENERAL ASSEMBLY

**LEWISHOUSE #LH065
RIGHTS & LIBERTIES COMMITTEE**

Introduced by:	Stephanie Swanson Kristin Anderson
Delegation:	Parkway South
Title:	An Act To REQUIRE ALL SENIOR CITIZENS TO RETAKE THE DRIVER'S LICENSE TEST

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 For the purpose of the bill "senior citizens" will be defined a person over the
- 3 age of seventy (70). "Retake" will be defined as completing and passing the
- 4 Missouri state driver's license test with a score of seventy (70) or higher.
- 5
- 6 Section B:
- 7 The Missouri State driver's license test will be required to be retaken by any
- 8 senior citizens wishing to continue to drive after they reach the age of
- 9 seventy (70). If pulled over without an updated drivers license, subject will
- 10 be ticked for an expired license. The test will be required to be retaken every
- 11 four (4) years. Once a senior citizen has retaken the driver's license test they
- 12 will receive a new license that has a special green tinted background
- 13 indicating an over seventy (70) license.
- 14
- 15 Section C:
- 16 Funding will be provided by one percent (1%) of any driving tickets received
- 17 by any driver over the age of seventy (70).
- 18
- 19 Section D:
- 20 This act will be enforced by any Missouri Police Department, highway
- 21 patrol, and any Missouri license bureau.
- 22
- 23 Section E:
- 24 This bill shall take effect one (1) year after passage.
- 25

Cost:	
Source:	
Department:	Missouri Police Department

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH066

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Samantha Gibson
Delegation:	Parkway South
Title:	An Act To repeal the Missouri State dog tax and replace the dog licensing provisions currently existing

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 This act shall repeal sections 273.050 * 273.180. These sections deal
- 3 with a dog tax whose provisions are too expensive for the money collected,
- 4 and presents a needless burden on state government.
- 5
- 6 Section B:
- 7 All dog licensing and licensing requirements will be decided by county
- 8 governments.
- 9
- 10 Section C:
- 11 This law shall go into effect one year after the passage of this bill.
- 12
- 13

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH067

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Weston Hitchcock
Delegation:	Mexico
Title:	An Act To Punish Employers of Illegal Migrant Workers Within the State of Missouri

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 Chapter 213.055 RSMo, is amended by adding thereto one new section, to
- 3 be known as section 213.070, to read as follows:
- 4
- 5 1. This act shall be known, and may be cited, as the "Missouri Illegal
- 6 Employment Act".
- 7
- 8 2. As used in this section, the following terms shall be defined as:
- 9
- 10 (1) "Employer", a person who owns a business or provides a service through
- 11 the employment of other persons.
- 12
- 13 (2) "Employee", one employed by an employer for wages or salary in a
- 14 position below that of the employer.
- 15
- 16 (3) "Illegal Migrant Worker", one who is unauthorized to work in the United
- 17 States under Federal Immigration Law.
- 18
- 19 (4) "Local Law Enforcement", persons authorized to enforce the laws of the
- 20 State of Missouri, whom are employed by either a county or city within the
- 21 State of Missouri.
- 22
- 23 (5) "State Law Enforcement", persons authorized to enforce the laws of the
- 24 State of Missouri, whom are employed by the State of Missouri.
- 25
- 26 (6) "INS", The United State's Immigration and Naturalization Service
- 27 Department.
- 28
- 29 (7) "Employed" to receive wages or salary for a job or service.
- 30
- 31 (8) "Knowingly", completely aware that the migrant worker is not a legal
- 32 worker.
- 33
- 34 Section B:

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH067

35 Any employer, within the State of Missouri, that is found by either state,
 36 local, or federal law enforcement officials to knowingly, employ an illegal
 37 migrant worker(s) within the State of Missouri, shall be subject to the
 38 following consequences:

39
 40 a.) For the first offense of Chapter 213.055 of the RSMo the employer shall
 41 receive a fine of \$2,000 per illegal migrant worker employed at the time of
 42 arrest, and will have their firm’s business license revoked for 30 days.

43
 44 b.) For the second offense of Chapter 213.055 of the RSMo the employer
 45 shall receive a fine of \$5,000 per illegal migrant worker employed at the
 46 time of arrest, and will have their firm’s business license revoked for six
 47 months.

48
 49 c.) For the third offense of Chapter 213.055 of the RSMo the employer shall
 50 receive a fine of \$15,000 per illegal migrant worker employed at the time of
 51 arrest, their business license revoked for one year, as well as a State sentence
 52 of up to 10 years in incarceration.

53
 54 d.) For any offense of Chapter 213.055 of the RSMo, after the third offense,
 55 the employer shall receive a fine of \$25,000 per illegal migrant worker
 56 employed at the time of arrest, their business license revoked for five years,
 57 as well as a State sentence of up to 20 years in incarceration.

58
 59 Section C:
 60 If the employer is arrested by local or state law enforcement officials, the
 61 illegal migrant worker(s) in question shall be taken into custody by the
 62 arresting officer(s) and then, within 48 hours turned over to INS.

63
 64 Section D:
 65 The revenue generated through this bill will be distributed evenly to
 66 Missouri’s public schools.

67
 68 Section E:
 69 This law will go into effect immediately following its passage.
 70

Cost:	This legislation will not cost the State of Missou
Source:	N/A
Department:	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH069

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Greg Zahner Marty Yang
Delegation:	Ladue
Title:	A Joint Resolution To Extend The Right To Marry

BE IT RESOLVED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 Article I Section 33 of the Missouri Constitution shall be amended as
- 3 follows:
- 4 Section 33: That to be valid and recognized in this state, a marriage shall
- 5 exist only between [a man and a woman] TWO PEOPLE.
- 6
- 7 Section B:
- 8 To comply with Article I Section 33 of the Missouri Constitution, Section
- 9 451.022 of the RSMo shall be amended as follows:
- 10
- 11 Public Policy, [same sex marriages prohibited] MARRIAGE BETWEEN
- 12 TWO PEOPLE PERMITTED- license may [not] be issued.
- 13
- 14 451.022 1. It is the public policy of this state to recognize marriage only
- 15 between [a man and a woman] TWO PEOPLE.
- 16
- 17 2. Any purported marriage not between [a man and a woman] TWO
- 18 PEOPLE is invalid.
- 19
- 20 3. No recorder shall issue a marriage license, except to [a man and a woman]
- 21 TWO PEOPLE.
- 22
- 23 4. [A marriage between persons of the same sex will not be recognized for
- 24 any purpose in this state even when valid where contracted.] ANY
- 25 MARRIAGE ISSUED WITHIN ANOTHER STATE THAT COMPLIES
- 26 WITH MISSOURI MARRIAGE LAWS WILL BE RECOGNIZED AS
- 27 VALID WITHIN MISSOURI.
- 28
- 29 5. OFFICIALS OF RELIGIOUS GROUPS ARE FREE TO REFUSE TO PERFORM MARRIAGES THAT ARE NOT IN ACCORDANCE WITH
- 30 THEIR RELIGIOUS BELIEFS.
- 31
- 32
- 33 6. THE GENDER IDENTITY OR SEX OF THE TWO PEOPLE CANNOT
- 34 BE THE SOLE REASON TO VOID THE MARRIAGE.

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH069

35
36 "SEXUAL ORIENTATION," REFERS TO THE DIRECTION OF AN
37 INDIVIDUAL'S SEXUALITY, OFTEN CLASSIFIED ACCORDING TO
38 THE SEX AND/OR GENDER OF THE PEOPLE WHOM THE
39 INDIVIDUAL FINDS SEXUALLY ATTRACTIVE. SEXUAL
40 ORIENTATION ENCOMPASSES HETEROSEXUALITY,
41 HOMOSEXUALITY, BISEXUALITY, PANSEXUALITY,
42 ASEXUALITY, AND QUEER.

43
44 "GENDER IDENTITY," REFERS TO THE GENDER WITH WHICH A
45 PERSON IDENTIFIES, SUCH AS A MAN OR WOMAN, OR
46 SOMEWHERE ALONG A CONTINUUM OF FEMININITY VERSUS
47 MASCULINITY. THIS TERM ENCOMPASSES CISGENDERED, OR
48 THOSE WHOSE GENDER IS THE SAME AS THEIR SEX,
49 TRANSGENDERED, GENDER NONCONFORMING, AND GENDER
50 QUEER.
51

Cost:	none
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH070

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Carley Morrison Holly Haddock
Delegation:	Parkway South
Title:	An Act To to require a drivers test for the elderly.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 For the purpose of this bill the term "elderly" will be defined a person 75
- 3 years of age. The term "drivers test" will be defined as a physical driving
- 4 exam taken under the supervision of a professional that tests the elderly
- 5 person's vehicle control skills.
- 6
- 7 Section B:
- 8 This bill will require a renewal of the driver's license for a person of the age
- 9 of 75 or above. In order for this to take effect, a notice of renewal will be
- 10 sent to the driver's home two weeks prior to their 75th birthday. The driver
- 11 will be required to renew their current license within a month following their
- 12 75th birthday has past. The same procedure will occur every five years after
- 13 the person turns 75.
- 14
- 15 Section C:
- 16 Funding will be provided Missouri Department of Revenue.
- 17
- 18 Section D:
- 19 This law will be enforced by the Missouri Department of Revenue. If drivers
- 20 over the age of 75 violate this law their license will be revoked until they
- 21 take the drivers test. If the elderly person is pulled over while driving their
- 22 vehicle with an expired license, they will be fined \$150.00, and will be
- 23 required to appear at court. If the elderly person fails the driving test they
- 24 will be given the option to take part in a driver's education program and the
- 25 opportunity to retry the test. If the person fails and does not wish to partake
- 26 in the driver education program they will forfeit their license.
- 27
- 28 Section E:
- 29 This bill shall go into effect 1 year after its passage.
- 30

Cost:	
Source:	finer and user fees
Department:	Missouri Department of Revenue

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH071

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Louis Blanc Luke Sparks
Delegation:	Parkway South
Title:	A Joint Resolution To TO SPECIFICALLY PUNISH THE THEFT OF A PEACE OFFICER’S SERVICE WEAPON.

BE IT RESOLVED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: For purposes of this bill, a peace officer is defined as any
- 2 individual expected to carry out law enforcement or maintenance of the
- 3 public good by the federal, state, or municipal government. A service
- 4 weapon is defined as a primary or secondary firearm an officer uses in the
- 5 commission of their duty regardless of personal ownership or issuance by the
- 6 government.
- 7
- 8 Section B: The purpose of this bill is to create a separate crime for the theft
- 9 of a peace officer’s weapon.
- 10
- 11 Section C: The punishment for the aforementioned crime is to be classified
- 12 as Class C felony comprising of a term of imprisonment in a state
- 13 penitentiary not to exceed seven years.
- 14
- 15 Section D: This bill shall be put into effect six months after the approval of
- 16 the bill.
- 17

Cost:	\$10,000,000
Source:	New taxes
Department:	Department of Law

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH072

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Jeff Fenderson Alex Green
Delegation:	Carondelet
Title:	An Act To Lower the Age of Drinking To 18

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 It would be in favor of some collages to lower the drinking age to eighteen
- 2 or nineteen. Some collages say they want to change the law but the
- 3 government will not let them. They say that if the drinking age was 18 they
- 4 could monitor the drinking that was going on. Because underage drinking is
- 5 underground where adults cannot monitor what the kinds are doing. The
- 6 drinking would not stay underground; some kids will go outside and wonder
- 7 and that is when the accidents happen. Also if they trust 18-year-old people
- 8 to vote, be assigned jury duty, and join the army, why can they not trust them
- 9 to drink?
- 10
- 11 Many collage students drink underage. If the school could regulate how
- 12 much they drink and where they go. Twenty-two percent of students under
- 13 the age of 21 are binge drinkers. Eighteen percent of people over the age of
- 14 21 are binge drinkers. Binge drinkers are people who drink more than 5
- 15 drinks at least once a week. Thirty-two percent of underage students are
- 16 heavy drinkers. Only twenty-four percent of legal age people are heavy
- 17 drinkers.
- 18

Cost:	
Source:	
Department:	Missouri Supreme Court

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH073

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Patrick Carosello Adam Schmuelling
Delegation:	Carondelet
Title:	An Act To require Missouri citizens over the age of 60 years to retake portions of the Missouri motor vehicle license test.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A
- 2 At the age of 60, no matter what the condition of the expiration
- 3 date on one's license says, he/she has to take the driving and visual portions
- 4 of the standard Missouri drivers license test.
- 5
- 6 Section B
- 7 The DMV would oversee this act to make sure that these citizens
- 8 completely and properly renew his/her Missouri drivers license.
- 9
- 10 Section C
- 11 If one does not take this test then he/she will be warned to take the test.
- 12 If they do not he/she will be fined \$500, and if he/she do not pay the fine
- 13 then they
- 14 will have a warrant put out for their arrest.
- 15
- 16 Section D
- 17 This law shall take effect January 1, 2008
- 18
- 19

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH074

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Pat Powers
Delegation:	Francis Howell
Title:	AN ACT TO TIGHTEN THE RESPONCE TO ILLEGAL IMMIGRATION IN THE STATE OF MISSOURI

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Sub-Section A:
- 2 Immediate referral and
- 3 recommendation of deportation to Immigration and Naturalization
- 4 Service, the Department of Justice, and the Department of Homeland
- 5 Security.
- 6
- 7 Sub-section B:
- 8 All Suspects have the right to due process
- 9 I. Right to Counsel at Anytime during Interrogation
- 10 II. Right to Remain Silent
- 11 III. Right to an neutral jury and judge
- 12 IV. Right to request Amnesty or Asylum*
- 13
- 14 Sub-Section C:
- 15 Amnesty and Asylum requests are forwarded to the U.S Immigration
- 16 and naturalization service and the U.S Department of State.
- 17
- 18 Sub-Section D:
- 19 A Minimum fine of \$50,000 but no more than \$100,000
- 20
- 21 Sub-Section E:
- 22 Suspension of Missouri Motor Vehicle License permanently or
- 23 temporarily, up to the discretion of the DMV.
- 24
- 25 Sub-Section F:
- 26 If employed by a Company that does not report the Illegal status
- 27 of the individual will also be fined a minimum of \$350,000 but no
- 28 more than \$500,000
- 29
- 30 Sub-Section G:
- 31 Court must be convened within 60 days of being taken into custody
- 32
- 33 Sub-Section H:

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH074

34 Miranda rights apply to all immigrants as does the right to an
 35 attorney

36
 37 Sub-Section I:

38 Convicted Immigrants are subject to up to 2 years in state
 39 correctional facility.

40
 41 Sub-Section J:

42 All Cost associated with this bill will be placed on the Homeland
 43 Security Budget for the next fiscal year. Costs are estimated at five
 44 hundred thousand dollars (\$500,000) a year for Personnel, legal
 45 resources, and Investigate Equipment. All Missouri Law Enforcement
 46 Agencies have the right, responsibility and the mandate to enforce this
 47 law and its related text. The Attorney General of the state of
 48 Missouri will be executive leader of this law and its provisions.

49
 50

Cost:	\$1,000,000
Source:	Homeland Security Budget
Department:	Missouri Department of Homeland Security

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH075

RIGHTS & LIBERTIES COMMITTEE

Introduced by:	Chris Pile
Delegation:	Francis Howell Central
Title:	An Act To repeal section 302.060.12 of the RSMo referring to (a) parent(s)/legal Guardian(s) of a minor bring able to prevent them from attaining a driver’s license/permit.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 (12) To any person who is under the age of eighteen years, if such person's
 2 parents or legal guardians file a certified document with the department of
 3 revenue stating that the director shall not issue such person a driver's license.
 4 Each document filed by the person's parents or legal guardians shall be made
 5 upon a form furnished by the director and shall include identifying
 6 information of the person for whom the parents or legal guardians are
 7 denying the driver's license. The document shall also contain identifying
 8 information of the person's parents or legal guardians. The document shall be
 9 certified by the parents or legal guardians to be true and correct. This
 10 provision shall not apply to any person who is legally emancipated. The
 11 parents or legal guardians may later file an additional document with the
 12 department of revenue which reinstates the person's ability to receive a
 13 driver's license.
 14 Is repealed removing a parent’s right to prevent a minor from attaining a
 15 driver’s license/permit.

16
 17 Section B
 18 This will be enforced by the Missouri Department of Transportation.

19
 20 Section C
 21 This law will go into effect immediately upon passage.

22
 23

Cost:	\$0.00
Source:	
Department:	Missouri Department of Transportation

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH081
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Sydney Van Buren Mychal Amann
Delegation:	Francis Howell
Title:	An Act To Increase the Penalty and Driving with Excessive Blood Alcohol Content

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 SECTION A

2 Section 577.012.3 shall be revised to read as follows: 3. For the first offense,
3 driving with excessive blood alcohol content is a class [B misdemeanor] D
4 FELONY. THE VEHICLE DRIVEN BY THE ONE CONVICTED OF
5 THIS SHALL HAVE THE VEHICLE THAT WAS DRIVEN AT THE
6 TIME OF THE OFFENSE CONFISCATED FOR A PERIOD OF ONE (1)
7 YEAR AND PLACED IN A STATE PUBLIC STORAGE FACILITY AT
8 THE EXPENSE OF THE ONE CONVICTED

9 SECTION B

10 Section 577.010.2 shall be revised to read as follows: 2. Driving while
11 intoxicated is for the first offense, a [class B misdemeanor] CLASS D
12 FELONY. No person convicted of or pleading guilty to the offense of
13 driving while intoxicated shall be granted a suspended imposition of
14 sentence for such offense, unless such person shall be placed on probation
15 for a minimum of two years. THE VEHICLE DRIVEN BY THE ONE
16 CONVICTED OF THIS SHALL HAVE THE VEHICLE THAT WAS
17 DRIVEN AT THE TIME OF THE OFFENSE CONFISCATED FOR A
18 PERIOD OF ONE (1) YEAR AND PLACED IN A STATE PUBLIC
19 STORAGE FACILITY AT THE EXPENSE OF THE ONE CONVICTED.

20 SECTION C

21 This legislation requires no additional funding aside from the payment by the
22 one convicted of this offense.

23 SECTION D

24 The State Attorney General shall administer this law and the storage facility
25 required.

26 SECTION E

27 This legislation will take effect thirty (30) days after passage.
28

Cost:	0
Source:	storage facility to be paid for by convicted
Department:	Attorney General

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH082
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Lauren Atkinson Laura Fleming
Delegation:	Ladue
Title:	A Concurrent Resolution To ban the use of hand held mobile phones while operating a vehicle.

BE IT RESOLVED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A:

2 Chapter 307, RSMo, is amended by adding thereto one new section, to be
3 known as section 307.783, to read as follows:
4 (307.783) 1. This section shall be know and may be cited as the “Act To Ban
5 Mobile Phones While Operating A Vehicle”

6
7 2. As used in this section, the following terms mean:

8
9 (1) “Mobile telephone” shall mean any device used by subscribers and other
10 users of wireless telephone service to access such service.

11
12 (2) “Using” shall mean operating a mobile telephone in any manner while in
13 the user’s hand

14
15 (3) “Hands-free mobile telephone” shall mean a mobile telephone that has
16 an internal feature or function, or that is equipped with an attachment or
17 addition, whether or not permanently part of such mobile telephone, by
18 which user engages in a call without the use of wither hand, whether or not
19 the use of whether hand is necessary to activate, deactivate or initiate a
20 function of such telephone.

21
22 (4) “Hand-held mobile telephone” shall mean a mobile telephone with which
23 user engages in a call using at least one hand.

24
25 (5) “Public road” shall mean any road that is held to be in use by the general
26 population.

27
28 3. Except as otherwise stated in this section, no person shall operate a
29 motor vehicle on any public road while using a mobile telephone while said
30 vehicle is in motion.

31
32 (1) An operator of a motor vehicle who holds a mobile

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH082

33 telephone in his or her hand while said vehicle is in motion is assumed to be
34 using a said device within the meaning of the section.

35
36 (2) The provisions of this section shall not be construed as authorizing the
37 seizure or forfeiture of mobile telephone, unless otherwise provided by law.

38
39 4. Exceptions of this shall include:

40
41 (1) The use of a mobile telephone for the purpose of communicating with
42 any of the following regarding an emergency situation: emergency response
43 operator; a hospital, physician’s office or health clinic; an ambulance
44 company; a fire department, district or company; or police department. As
45 well as any of the following persons while in the performance of their
46 official duties: a police officer, member of a fire department, district or
47 company; or the operator of an ambulance company

48
49 5. A violation of this section shall be a traffic infraction and shall be
50 punishable by a fine of no more than one hundred dollars.

51
52 6. The Department of Motor Vehicles may promulgate rules to implement
53 the provisions of this section.

54
55 7. All fines collected under the enforcement of this law will go to the
56 Missouri Education Fund.

57
58 8. Pursuant to section 307.783, RSMo, of the Missouri sunset act:
59 (1) Any new program is reauthorized, the program authorized under his
60 section shall automatically sunset 5 years after December 31, 2007, unless
61 reauthorized by an act of general assembly; and

62
63 (2) If such program is reauthorized, the program authorized under this
64 section shall automatically sunset twelve years after the effective date of the
65 reauthorization of this section; and

66
67 (3) This section shall terminate on September first of the calendar year
68 immediately following the calendar year in which the program authorized
69 under this section is sunset.

70

Cost:	\$0
Source:	
Department:	The Department of Motor Vehicles

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH083

TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	Ryan DeBolt Jenna Olson
Delegation:	Parkway South
Title:	An Act To REQUIRE THAT ALL NEW NON-COMMERCIAL VEHICLES SOLD IN MISSOURI MUST GET AT LEAST 20 MPG.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 SECTION A:
2 For the purposed of this section, let the following terms apply:
3 ”new” be defined as vehicles with a production date after January 1, 2013.
4 “non-commercial” be defined as vehicles not used for the transport of goods
5 or material related to business.
6 “vehicle” be defined as a motorized transport with at least 4 wheels.
7
8 SECTION B:
9 The Missouri Department of Revenue shall enforce this law.
10
11 Section C:
12 Dealerships that sell new non-commercial vehicles that get less than 20
13 MPG shall be fined 10% of the purchase price of the vehicle.
14
15 Section D:
16 This piece of legislation shall go into effect January 1, 2015
17
18

Cost:	\$5 Million
Source:	raise Cigarette tax 2 cents
Department:	Department of Revenue

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH084
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Alex Heck
Delegation:	Parkway South
Title:	An Act To amend Chapter 302 Drivers' and Commercial Drivers' Licenses Section 302.178, by adding one new section relating to special exemptions in the curfew for intermediate license carriers.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 1. As used in this section, the following terms mean:
- 2 1)"Intermediate license" , The intermediate license allows the driver to drive
- 3 alone except during a late night curfew (1:00 am to 5:00 am). The driver and
- 4 passengers must use seat belts, be free of alcohol and drugs, and obey the
- 5 traffic laws.
- 6 2. For all carriers of an intermediate license, the curfew can be ignored
- 7 during instances such as medical emergencies.
- 8 3. Special exemption passes can be previously acquired at a local law
- 9 enforcement agency or at a Missouri Department of Revenue office for
- 10 reasons deemed liable by a local law enforcement authority or worker at
- 11 Missouri Department of Revenue. These passes allow drivers to be out
- 12 during the curfew period of 1:00 am to 5:00 am. Any local law enforcement
- 13 authority may issue a curfew exemption.
- 14 4. This act will become effective by January 1st, 2009.

Cost:	0
Source:	
Department:	Missouri Department of Revenue

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH085
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Paul J. McCain
Delegation:	Parkway South
Title:	AN ACT TO INCREASE PROPERTY TAX ON LOW-MILEAGE CONSUMER CARS

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A: For the purposes of this legislation, the following definitions shall
- 2 apply:
- 3 1. Property tax shall refer to the capital tax on property imposed by
- 4 municipalities; based on the assessment of the property made by county
- 5 assessors supervised by the State Tax Commission.
- 6 2. Economy rating shall be defined as the Environmental Protection Agency
- 7 (EPA) Fuel Economy Estimates of the current estimate in miles per gallon
- 8 (MPG) of the automobile model.
- 9 3. Consumer car shall be defined as an automobile produced for private use,
- 10 not used for commercial purposes, such as, but not limited to: fleet cars,
- 11 delivery vehicles, and human transport vehicles, including educational and
- 12 commercial human transport vehicles, such as taxis, buses, cars, etc. This
- 13 does include privately owed vehicles for private use.
- 14 4. Property value shall refer to the assessment made of the personal property
- 15 by county assessors supervised by the State Tax Commission.
- 16 5. Tax rate shall refer to the rate of tax for personal property as determined
- 17 by the local municipalities' government.
- 18 6. Gas guzzler rate shall refer to the amount of the additional sales tax for
- 19 new automobiles as set by the Energy Tax Act of 1978, depending on the
- 20 economy rating of the automobile.
- 21 7. Market value shall refer to the price the property would bring when
- 22 offered for sale by a person who is willing but not obligated to sell it, and is
- 23 bought by a person who is willing to purchase it but who is not forced to do
- 24 so.
- 25 8. Poverty guidelines shall refer to the current United States Department of
- 26 Health and Human Services Poverty Guidelines.
- 27
- 28 Section B: The gas guzzler rate shall be used as a factor for the additional
- 29 property value. The gas guzzler rate will be added to the market value of the
- 30 automobile.
- 31
- 32 Section C: This law shall not apply to individuals who fall in the poverty
- 33 guidelines, as defined by the Missouri Property Tax Credit and Homestead
- 34 Presentation Act programs. This law shall not apply to individuals with a

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH085

35 vehicle possessing disabled person placard or license plate issued by the
36 Missouri Department of Revenue for the use of a disabled individual's
37 transportation.

38
39 Section D: The State Tax Commission will conduct enforcement of this act
40 and will determine penalties for failure to comply with this law.

41

Cost:	0
Source:	
Department:	State Tax Commission

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH086

TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	John Moresi Corey Williams
Delegation:	Carondelet
Title:	An Act To Require Auto-mobile Manufacturers To Make Governing Chips And Rev-Limiters Only An Optional Piece Of Equipment On Cars.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 Auto-mobile manufacturers [Dodge, Chevy, Nissan, etc.] must make
- 3 governing chips [a device in the form of a computer chip inside the computer
- 4 of the consumer's vehicle that limits the top speed of the vehicle] an optional
- 5 piece of equipment on the consumer's car.
- 6
- 7 Section B:
- 8 Rev-limiters [similar to governing chips, except that they limit how many
- 9 revolutions per minute {rpms} the engine pistons move] will also be made
- 10 exclusively optional.
- 11
- 12 Section C:
- 13 Consumers can still buy the governing chip from the manufacturer or an
- 14 aftermarket dealer [year one, Mopar, Nismo, etc.] for no more than they cost
- 15 now.
- 16
- 17 Section D:
- 18 This Bill will only apply to vehicles from the 2010 model year and all new
- 19 model years there-after.
- 20
- 21 Section E:
- 22 This Bill will take effect one [1] year after being passed into law.
- 23

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH087
TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	Sean Pelattini
Delegation:	Lindbergh
Title:	An Act to create a "Missouri Seniors Drivers License"

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
- 2 The term "Senior" as used in this bill, shall be defined as Missourians 78
- 3 years of age and older.
- 4
- 5 Section B:
- 6 Only senior residents of the state of Missouri shall be required to apply for
- 7 the "Missouri Seniors Drivers License".
- 8
- 9 Section C:
- 10 The "Missouri Seniors Drivers License" shall cost approximately \$10.00.
- 11 Mandatory licensing application fees will still apply.
- 12
- 13 Section D:
- 14 The vision and driving test shall be administered at the Department of
- 15 Revenue agencies.
- 16
- 17 Section E:
- 18 The requirements for the "Missouri Seniors Drivers License" will be passage
- 19 of the vision and driving test. The vision and driving test shall be a
- 20 specialized test that is administered only to Missouri drivers at the age of 78
- 21 or more. The vision test shall be administered on the Optec 5000P. If the
- 22 senior passes the vision test and driving test, a special "Seniors Drivers
- 23 License" shall be issued.
- 24
- 25 Section F:
- 26 Both the vision and driving test shall be administered to all senior Missouri
- 27 drivers every two years.
- 28
- 29 Section G:
- 30 If either the vision or driving test is failed by the senior, they receive two
- 31 more attempts prior to their license being revoked. The make up tests must
- 32 be administered within 180 days of the previous test's failure.
- 33
- 34 Section H:

MISSOURI YMCA GENERAL ASSEMBLY
 CONTINUATION OF LH087

35 If a driver over the age of 78 is caught without a "Seniors Drivers License" a
 36 warning and immediate referral to The Department of Revenue shall be
 37 made. If a senior is caught a second time, their drivers license will be
 38 immediately revoked for one year and referral will be made to The
 39 Department of Revenue.
 40
 41

Cost:	198,952
Source:	The money to pay for the equipment will come from the \$10 application fee that is required to obtain the license.
Department:	The Department of Revenue will be fiscally responsible for this legislation.

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH088
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Joseph Rolfi Kristian Schmidt
Delegation:	Carondelet
Title:	An Act To regulate the recycling of copper pipes

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Copper pipe: the product used to deliver water to home or business for the
3 purposes of drinking, bathing, washing, plumbing. Copper piping is also
4 found in air Conditioning units.
5
6 Section B:
7 The purpose is to compel recycling centers to maintain an accurate listing of
8 those companies and individuals who attempt to recycle copper piping for
9 money. This information will include the persons name, address, date of
10 birth, phone numbers and require the person to submit to a photograph of
11 his/her face. The location of the recovery of the pipe(s) will also included on
12 this listing.
13
14 Section C:
15 Any person found to be in possession of stolen copper pipe(s) will be
16 charged with "Possession of Stolen Property" or if proven the person entered
17 a home or business or home unlawfully to remove the copper pipe(s), he/she
18 will be charged with "Burglary". The person will be subject to prescribed by
19 state statute.
20
21 Section D:
22 Time to take affect January 1st 2008.
23

Cost:	
Source:	
Department:	

**MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH089
TRANSPORTATION & ENVIRONMENT COMMITTEE**

Introduced by:	Julie Stratmann
Delegation:	Parkway South
Title:	An Act To require all boaters to pass a boat operating

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 For the purpose of this legislation, the term "boat" refers to any vessel
3 operated on the public waters of Missouri except non- motorized vessels,
4 sailboats under 12 feet in height, vessels registered in other states using
5 Missouri waters for 60 consecutive days or less, or vessels documented by
6 the U.S. Coast Guard.
7
8 Section B:
9 This bill will require all those wishing to operate a boat on the public waters
10 of Missouri to pass a boat operating license examination.
11
12 Section C:
13 Funding for administration of boat operating license examination will be
14 provided by charging an examination fee and a license fee.
15
16 Section D:
17 This law will be enforced by the Missouri State Water Patrol, who will also
18 administer the boat operating license examination.
19
20 Section E:
21 This law applies to anyone who wishes to operate a boat on the public waters
22 of Missouri.
23
24 Section F:
25 This law shall take effect one year after passage.
26

Cost:	\$0
Source:	
Department:	transportation department

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH090
TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	Julia Unverfehrt Lauren Tucker
Delegation:	Parkway South
Title:	An Act To Require All Senior Citizens To Renew Their Driver's License Every Four Years

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 An Act To require all senior citizens to renew their driver's license every
2 four years
3 Def. of Senior citizens- any legal citizens over the age of 65.
4 Driver's examination required, when--exceptions--procedure.
5 302.173. 1. Any applicant for a license, who does not possess a valid license
6 issued pursuant to the laws of this state, another state, or a country which has
7 a reciprocal agreement with the state of Missouri regarding the exchange of
8 licenses pursuant to section 302.172 shall be examined as herein provided.
9 Any person who has failed to renew such person's license on or before the
10 date of its expiration or within six months thereafter must take the complete
11 examination. Any active member of the armed forces, their adult dependents
12 or any active member of the peace corps may apply for a renewal license
13 without examination of any kind, unless otherwise required by sections
14 302.700 to 302.780, provided the renewal application shows that the
15 previous license had not been suspended or revoked. Any person honorably
16 discharged from the armed forces of the United States who held a valid
17 license prior to being inducted may apply for a renewal license within sixty
18 days after such person's honorable discharge without submitting to any
19 examination of such person's ability to safely operate a motor vehicle over
20 the highways of this state unless otherwise required by sections 302.700 to
21 302.780, other than the vision test provided in section 302.175, unless the
22 facts set out in the renewal application or record of convictions on the
23 expiring license, or the records of the director show that there is good cause
24 to authorize the director to require the applicant to submit to the complete
25 examination. No applicant for a renewal license shall be required to submit
26 to any examination of his or her ability to safely operate a motor vehicle over
27 the highways of this state unless otherwise required by sections 302.700 to
28 302.780 or regulations promulgated thereunder, other than a test of the
29 applicant's ability to understand highway signs regulating, warning or
30 directing traffic and the vision test provided in section 302.175, unless the
31 facts set out in the renewal application or record of convictions on the
32 expiring license, or the records of the director show that there is good cause
33 to authorize the director to require the applicant to submit to the complete

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH090

34 examination. The examination shall be made available in each county.
35 Reasonable notice of the time and place of the examination shall be given
36 the applicant by the person or officer designated to conduct it. The complete
37 examination shall include a test of the applicant's natural or corrected vision
38 as prescribed in section 302.175, the applicant's ability to understand
39 highway signs regulating, warning or directing traffic, the applicant's
40 practical knowledge of the traffic laws of this state, and an actual
41 demonstration of ability to exercise due care in the operation of a motor
42 vehicle of the classification for which the license is sought. When an
43 applicant for a license has a license from a state which has requirements for
44 issuance of a license comparable to the Missouri requirements or a license
45 from a country which has a reciprocal agreement with the state of Missouri
46 regarding the exchange of licenses pursuant to section 302.172 and such
47 license has not expired more than six months prior to the date of application
48 for the Missouri license, the director may waive the test of the applicant's
49 practical knowledge of the traffic laws of this state, and the requirement of
50 actual demonstration of ability to exercise due care in the operation of a
51 motor vehicle. If the director has reasonable grounds to believe that an
52 applicant is suffering from some known physical or mental ailment which
53 ordinarily would interfere with the applicant's fitness to operate a motor
54 vehicle safely upon the highways, the director may require that the
55 examination include a physical or mental examination by a licensed
56 physician of the applicant's choice, at the applicant's expense, to determine
57 the fact. The director shall prescribe regulations to ensure uniformity in the
58 examinations and in the grading thereof and shall prescribe and furnish all
59 forms to the members of the highway patrol and to other persons authorized
60 to conduct examinations as may be necessary to enable the officer or person
61 to properly conduct the examination. The records of the examination shall be
62 forwarded to the director who shall not issue any license hereunder if in the
63 director's opinion the applicant is not qualified to operate a motor vehicle
64 safely upon the highways of this state. Once passed the driversâ€™
65 examination then the newly licensed person must return to the license bureau
66 at the age of 65 to retest their knowledge and test for physical conditions.
67 Then once when passed the person must return for testing every four years.
68 If failed the license must be revoked until the person can show the instructor
69 that they can operate a motor vehicle safely.
70 2. Beginning July 1, 2005, when the examiner has reasonable grounds to
71 believe that an individual has committed fraud or deception during the
72 examination process, the license examiner shall immediately forward to the
73 director all information relevant to any fraud or deception, including, but not
74 limited to, a statement of the examiner's grounds for belief that the person
75 committed or attempted to commit fraud or deception in the written, skills,
76 or vision examination.

MISSOURI YMCA GENERAL ASSEMBLY

CONTINUATION OF LH090

77 3. The director of revenue shall delegate the power to conduct the
78 examinations required for a license or permit to any member of the highway
79 patrol or any person employed by the highway patrol. The powers delegated
80 to any examiner may be revoked at any time by the director of revenue upon
81 notice.

82 4. Notwithstanding the requirements of subsections 1 and 3 of this section,
83 the successful completion of a motorcycle rider training course approved
84 pursuant to sections 302.133 to 302.137 shall constitute an actual
85 demonstration of the person's ability to exercise due care in the operation of
86 a motorcycle or motortricycle, and no further driving test shall be required to
87 obtain a motorcycle or motortricycle license or endorsement.
88

Cost:	
Source:	
Department:	

MISSOURI YMCA GENERAL ASSEMBLY

LEWISHOUSE #LH091

TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	Matt Leggett Ashton Lacy
Delegation:	Carondelet
Title:	An Act To Amend Section 577.012 relating to Driving a motor vehicle while intoxicated and penalty there of

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Chapter 577,RSMo, is amended by changing section 577.012, to be known
3 as section 577.012, to read as follows:
4
5 Section B:
6 577.012. 1. A person commits the crime of "driving with excessive blood
7 alcohol content" if such person operates a motor vehicle in this state with
8 Five-hundredths of One Percent [eight-hundredths of one percent] or more by
9 weight of alcohol in such person's blood.
10
11 2. As used in this section, percent by weight of alcohol in the blood shall be
12 based upon grams of alcohol per one hundred milliliters of blood or two
13 hundred ten liters of breath and may be shown by chemical analysis of the
14 person's blood, breath, saliva or urine. For the purposes of determining the
15 alcoholic content of a person's blood under this section, the test shall be
16 conducted in accordance with the provisions of sections 577.020 to 577.041.
17
18 3. For the first offense, driving with excessive blood alcohol content is a
19 Class A Misdemeanor [class B misdemeanor.]
20
21 Section C:
22 This bill will take effect 60 days after its passage.
23

Cost:	\$0
Source:	
Department:	Missouri Department of Transportation & Local Law Enforcement

MISSOURI YMCA GENERAL ASSEMBLY
LEWISHOUSE #LH092
TRANSPORTATION & ENVIRONMENT COMMITTEE

Introduced by:	Steven Hendren
Delegation:	Francis Howell Central
Title:	An Act To amend chapter 67, RSMO, by adding thereto one new section relating to restrictions on the distance landscaping can be planted away from the curb on any major roadway or highway in the state of Missouri.

BE IT ENACTED BY THE YMCA GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

- 1 Section A:
2 Chapter 67, RSMO, is amended by adding thereto one new section, to be
3 known as section 67.453.1, to read as follows:
4
5 67.453.1
6 1. This section shall be known and may be cited as the "Clearer View Act".
7
8 2. As used in this section, the following terms mean:
9
10 (1)"Major roadway", a roadway that has at least one lane of traffic traveling
11 in both directions with a center turn lane dividing the traffic
12
13 (2)"Highway", a roadway with multiple lanes of traffic, a median between
14 lanes of opposing traffic, as well as entry and exit ramps.
15
16 (3)"Landscaping", refers to any activity that modifies the visible features of
17 an area of land, including but not limited to: living elements, such as flora
18 which is commonly referred to as gardening, the art and craft of growing
19 plants with a goal of creating a beautiful environment within the landscape.
20 Natural elements such as landforms, terrain shape and elevation, or bodies of
21 water. human elements such as structures, fences or other material objects
22 created and/or installed by humans.
23
24 (4)"Motorist", is a person under the control of a land vehicle, a motor
25 vehicle such as a truck, car, motorcycle, or recreational vehicle.
26
27 (5)"Intersection" a junction where two or more roads either meet or cross
28 each other.
29
30 (6)"Traffic", is the movement of motorized vehicles, unmotorized vehicles
31 and pedestrians on roads.
32

MISSOURI YMCA GENERAL ASSEMBLY
CONTINUATION OF LH092

- 33 (7)"Side street", a street that intersects a main street but does not cross.
34
35 3. This bill will restrict the planting of any and all landscaping on any major
36 road or highway in the state of Missouri to no less than five feet from the
37 curb.
38
39 4. This bill will allow motorist to have a clearer view of an intersection or of
40 any oncoming Traffic while trying to enter a roadway from a side street.
41
42 5. The Missouri department of Transportation (MoDOT) will oversee the
43 enforcement of this bill.
44
45 6. Violators of this bill shall, on the first offense, receive a notice stating they
46 will have three days to correct the landscaping problem.
47 If the problem has not been corrected on the fourth day, the violator will
48 receive a one-hundred and fifty dollar (\$150) fine.
49 For every seven days after the three day grace period the problem has not
50 been fixed, the violator will receive a two-hundred and fifty dollar (\$250)
51 fine.
52
53 7. This bill will go in to affect three (3) months from date of passage.
54
55

Cost:	
Source:	\$150 - \$250 fine
Department:	The Missouri Department Of Transportation(MODot).