

Taking a look at the 2007 Legislative Session, there were a few accomplishments that stood out above the rest:

- **The passage of HB1055 was monumental. This will make it necessary for abortion clinics to meet the requirements of an ambulatory surgical center.**
- **The passage of HJR7 was important in that it will give the voters an opportunity to make English the official language in Missouri.**
- **It is a very good thing that we were able to get out of the session without an expansion of gambling.**

The failure of HJR 11 or SJR 20 to pass through the General Assembly will force the citizens of Missouri to start the Citizens Initiative Petition process. CWA of Missouri will keep you posted on the progress and the steps that need to be taken to make this happen. If we get enough signatures, we can allow the Missouri voters to close the loopholes created by Amendment 2. There is still much up in the air regarding this initiative, but hopefully there will be many answers in the next few weeks.

I have listed some very important issues that didn't make it through the process but should be of some interest to our members. Some of the proposed bills were very good, and it is a shame they didn't make it through the process. Some of the bills were very bad, and it is good that the pro-family leadership and majority in both houses made it difficult for any progress to be made on these measures.

- **CWA of Missouri will work on measures such as SB300 and SB27 and SB129 regarding sexually-oriented businesses.**
- **CWA of Missouri will support measures that cut down on illegal immigration.**
- **We want to see measures like SJR25 making the use of AD and BC the official dating method in Missouri.**
- **Measures like HJR19 will ensure that one's religious freedoms are protected in public places.**

There are many ways to make a difference in Missouri. Working with the state legislature actively and by getting good pro-life, pro-family individuals elected are very important parts of affecting the culture. Being involved in our Encourage-A-Legislator program is a way to hold up our state legislators in prayer. Establishing a CWA Prayer/Action Chapter in each county is also an important way to influence the culture both locally and in our state and country. Supporting Concerned Women for America of Missouri through your time, treasure, and talent will help the work in Missouri to continue.

Here are some of the bills that were considered in this 2007 session of the Missouri General Assembly. You can get more information by visiting the Missouri General Assembly web site at www.moga.state.mo.us.

HB1055 Sander (R-Randolph County) and SB370 Scott (R-St. Clair County)

- **Mandates abortion clinics to meet the requirements of ambulatory surgical center, prohibits abortion providers from providing materials and/or instruction to the public schools for the sex education programs, and establishes in statute the Alternatives to Abortion program.**
- **Revises the requirements for the presentation of information in public schools relating to contraception and sexually transmitted diseases by adding the option of presenting students with information on contraceptives and pregnancy in a manner consistent with federal abstinence laws. Currently, students must be presented with the latest medically factual information regarding sexually transmitted diseases and the side effects, health benefits, and failure rates for methods of preventing pregnancy;**
- **Prohibits school districts and charter schools from providing abortion services or allowing a person or entity who provides abortion services from offering, sponsoring, or furnishing course materials related to human sexuality and sexually transmitted diseases;**
- **Establishes the Missouri Alternatives to Abortion Services Program to provide services or counseling to pregnant women and assistance to mothers in caring for their children or placing them up for adoption. Counseling and services are available to a woman during her pregnancy and for one year after the birth of her child. The bill also establishes the Missouri Alternatives to Abortion Public Awareness Program which requires the department or departments administering the program to develop an advertising campaign publicizing alternatives to abortion and to prioritize federal, public, and private moneys so that they are used first to fund these programs. The department or departments administering the programs may contract with public or private agencies to provide services or counseling. These programs and their funds will not be used to perform, induce, or assist in abortions. Public and private agencies providing alternatives to abortion program counseling services are not required to provide services or counseling regarding contraception or birth control or from referring persons to services for pregnancies, but are prohibited from providing an abortion referral.**
- **Changes the definition of "ambulatory surgical center" to include any establishment operated for the purpose of performing or inducing any second or third trimester abortion or which performs at least five or more first trimester abortions per month.**

Truly Agreed To and Finally Passed on Friday, May 18!

HJR7 Nieves (R-Franklin County)

- Will place a proposal for a constitutional amendment on the ballot in November, 2008, to make English the official language for Missouri.
- Upon voter approval, this proposed constitutional amendment makes English the language for all official proceedings in Missouri and defines "official proceedings" in the same manner as "public meeting" under the Open Meetings Law, commonly known as the Sunshine Law.

Truly Agreed To and Finally Passed on Friday, May, 18!

HJR11 Lembke (R-St. Louis) and SJR20 Bartle (R-Jackson County)

- Proposes a constitutional amendment prohibiting human cloning and authorizing the General Assembly to enact laws regarding health care research.
- The passage of HJR11 or SJR20 would allow the voters to change the Missouri Constitution to correctly define human cloning and to restore to the legislators the ability to regulate scientific research, items that Amendment 2 changed in our constitution.

HJR11 died in the House Rules Committee when they voted not to pass it out of committee on May 1.

HB802 Page (D-St. Louis County) and SB514 Justus (Jackson County)

- HPV vaccination mandates
- The original bills called for mandating the vaccination for Human Papilloma Virus (a sexually transmitted disease) for all girls entering middle school.
- Thankfully, after working with pro-family legislators, the bill was "compromised" to the point it was just an educational tool between the Missouri Department. of Health and the parents/guardians of that age girl.

HB802 was left to die on the House Calendar, and SB514 never made it to the Senate Calendar.

SB27 Bartle (R-Jackson County)

- Sexually oriented business
- The act provides that no billboards for an adult cabaret or sexually oriented business shall be located within one mile of a state highway if the billboard displays any picture, photograph, image, or words describing, advertising, or discussing any material, product, performance, or other aspect that causes the business to be classified as an adult cabaret or sexually oriented business.

SB27 passed the committee and was on the Senate Informal Calendar for debate.

SB129 Stouffer (R-Saline County)

- Modifies how local governments can regulate outdoor advertising and modifies provisions relating to sexually oriented billboards.

- Identical to SB27.

SB129 passed the Senate and was referred House Local Government Committee but got no farther before the session ended.

HB215 Stevenson (R-Jasper County)

- Parental Rights and Protection of Children
- Expands the jurisdiction of juvenile courts to include individuals who are 17 and 18 years of age for the sole purpose of status offenses by redefining the terms "child, "adult, and "status offense."
- This would define an adult to be a child who has reached the age of 18 and therefore would remain under the authority of the parent or legal guardian.

HB215 passed the House and the Senate but in different versions. The House refused to adopt the final Conference Committee in the last days of session.

HB412 Emery (R-Barton County)

- Pharmacists Conscience Protection
- Specifies that pharmacies will be immune from liability for refusal to perform, assist, recommend, refer to, or participate in any act or service in connection with any drug or device that causes an abortion

HB412 was on the House Calendar for debate when the session ended. It did not get very far this year.

HB851 Onder (R-St. Charles County)

- Enforcement of Immigration Laws
- Authorizes State Highway Patrol training on federal immigration laws and requires officers to inquire into the legal status of persons placed under arrest.

The bill passed the House and then died in the Senate in the last days of session.

HJR19 Bearden (R-St. Charles County)

- Proposes a constitutional amendment guaranteeing a citizen's First Amendment right to pray on public property and reaffirming a citizen's right to choose any or no religion.
- Upon voter approval, this proposed constitutional amendment would guarantee a citizen's First Amendment right to pray and worship in all public areas including schools as long as the activities are voluntary and subject to the same rules and regulations that apply to all other types of speech.
- The amendment also reaffirms a citizen's right to choose any religion or no religion at all by prohibiting both the establishment of an official state religion and any state coercion or endorsement of religion through practices as composing official state prayers.

- Public schools receiving state funds are required to display the text of the Bill of Rights of the Constitution of the United States in a conspicuous and legible manner.

HJR19 passed the House and almost made it through the Senate; it was on the Senate Calendar for debate and passage when the session ended on Friday, May 18.

SB300 Bartle (R-Jackson County)

- Modifies the laws regulating sexually oriented businesses
- This section repeals and reenacts current law. Current law prohibits the exhibition of films, videos, DVDs, or other video reproductions depicting specified sexual activities in viewing rooms at sexually oriented businesses. A person who violates this provision is guilty of a Class A misdemeanor.
- Prohibits anyone under the age of 21 from being employed by a sexually oriented business. Violation of this section is a Class A misdemeanor.
- Would make it a Class A misdemeanor for an employee, while semi-nude in a sexually oriented business, to solicit any pay or gratuity from a customer or for a customer to pay gratuity to an employee while he or she is semi-nude. Would make it a Class A misdemeanor for an employee, while in a semi-nude state, to touch a customer or for a person to knowingly allow a person under 21 on the premises except for those on the premises for maintenance, repair work, or delivery of items.
- This section prohibits a sexually oriented business from being open between the hours of 10 p.m. and 10 a.m. on weekdays and Saturdays. These types of businesses will be closed on state holidays and Sundays.
- This section allows any county, city, town or village to create an ordinance requiring sexually oriented businesses to be licensed. Any applicant for such a license must provide certain information on the application including identifying information, present contact information, and proof of age. The county or municipality may collect a non-refundable deposit fee to be paid prior to processing a licensing application. A license shall not be issued to any person who has had a conviction for a sexual offense, obscenity offense, or alcohol-related offense during the past 10 years.
- This section allows any county, city, town or village to have zoning power to regulate the location of sexually oriented businesses.
- This section prohibits the Supervisor of the Division of Alcohol and Tobacco Control from issuing a liquor license to a sexually oriented business.
- This section states that any room, building or other structure regularly used for lewdness and assignation purposes is a public

nuisance. Currently, only those places where prostitution is conducted are considered public nuisances.

- Any person who establishes, maintains, uses, owns, or leases a place for lewdness, assignation, or prostitution is guilty of maintaining a nuisance. If convicted, a person will be fined not more than \$1,000 and/or receive a jail sentence of not more than one year. An action to enjoin such a nuisance may be brought if a lessee, sublessee, employee or agent of the owner, assignee, or partner of the owner knew the nuisance was being maintained. Currently, the law provides for such an injunction only if the owner knows of such activity.
- This section makes it a Class B misdemeanor for an adult cabaret employee to not complete a background check if required to do so by an order or ordinance. Currently, this section allows counties and St. Louis City to create an order or ordinance requiring employees of adult cabarets to complete background checks but there is no penalty for failing to do so.

SB300 made it to the Senate Calendar but didn't get any further this session.

HJR1 Cunningham (R-St. Louis County)

- Proposes a constitutional amendment restricting state court jurisdiction in the areas of taxing, spending, and budgeting.
- This proposed constitutional amendment prohibits the Missouri Supreme Court or any inferior court of the state from instructing or ordering the state or any county, city, or political subdivision to levy or increase taxes.
- The amendment also prohibits any Missouri court from instructing or ordering the state or any county, city, or political subdivision on how to spend, allocate, or budget fiscal resources in a manner inconsistent with duly enacted and effective legislation; however, the judiciary system retains the inherent authority to compel reasonable funding of judicial operations.

HJR1 passed the House and was on the Senate Calendar when the session ended on Friday, May 18.

HB245 St. Onge (R-St. Louis County)

- Requires commercial driver's license tests to be given in the English language.
- This bill requires commercial driver's license written tests to only be given in English.
- Applicants for a commercial driver's license must be able to read and speak the English language sufficiently to converse with the general public, understand highway traffic signs and signals, respond to official inquiries, and make entries on reports and records.

HB245 passed the House and was on the Senate Calendar when the session ended on Friday, May 18.

HB269 Nolte (R-Clay County)

- Prohibits the admission of unlawfully present aliens to public institutions of higher education
- This bill prohibits the admission of unlawfully present aliens to public institutions of higher education. The registrar of each institution must certify to the Appropriation Committees of the General Assembly that the institution has not knowingly admitted any illegal alien before the approval of any appropriations.

HB269 passed the House and was starting to go through the Senate when the session ended.

HB807Cunningham (R-St. Louis County)

- Allows public school students to choose to attend a public school district other than the school district of his or her residence.
- Beginning in the 2008-2009 school year, this substitute allows open enrollment of students in fully accredited school districts within 30 miles of their home district.
- School districts must have a policy to define class size for open enrollment purposes, using the state minimum teacher-pupil ratio. When there are not enough seats open, the host district must have a process that ensures equal chances of admission, but preferences for siblings of children who already attend are permitted.
- Open enrollment students will be calculated at the per-pupil amount of the home or host district for state school aid, whichever is higher. The parent or guardian of the student is responsible for transportation to the school.
- The substitute also contains provisions regarding sports participation, assessments, and intradistrict open enrollment.

HB807 had started the process towards passage and had been voted “Do Pass” by the Rules Committee.

HB889 Emery (R-Barton County)

- Denying illegal aliens public assistance.
- This bill prohibits persons who are not citizens or permanent residents of the United States or who do not possess lawful immigration status from receiving state or local public assistance unless it is mandated under federal law.
- Documentary evidence accepted by the Department of Revenue for obtaining a driver's license will suffice as proof of citizenship, permanent residency, or lawful immigration status. Individuals can temporarily receive public assistance for up to 90 days while obtaining the necessary documentation.

HB889 only made it through a few of the first steps for passage this year.

HCR37 Talbot (D-Kansas City and SCR7 Bray (D-St. Louis County)

- Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution.
- This resolution ratifies the Equal Rights Amendment to the United States Constitution.

The HCR wasn't assigned to a committee, and the SCR was given a hearing but went no farther.

SB296 Loudon (R-St. Louis County)

- Authorizes the Joint Committee on Wagering and Gaming to solicit bids for university study of pathological gambling in Missouri.
- There is no Missouri specific data regarding the effects of gaming on the state budget and the families in the state, national figures must be used.
- This study would provide Missouri specific statistics.

SB296 was referred to the Senate Ways & Means Committee but died again.

SJR25 Loudon (R-St. Louis County)

- Requires the official dating standard in the state to be AD, or Anno Domini, and BC, or Before Christ.
- This proposed constitutional amendment, if approved by the voters, provides that the official dating standard used by the state of Missouri shall be A.D., or Anno Domini, and B.C., or Before Christ.
- Neither the state, nor any political subdivision, shall use any other designation.

SJR25 was voted "Do Pass" in the Senate Pensions, Veterans' Affairs and General Laws Committee, but that is as far as it got this session.

HB213 Cunningham (R-St. Louis County)

- Establishes the Emily Brooker Intellectual Diversity Act, which defines intellectual diversity for reporting purposes at public higher education institutions.
- The Coordinating Board for Higher Education will require, as of December 31, 2008, an annual report describing steps taken by each institution to ensure intellectual diversity, which will be posted on the institution's web site. Students must be notified that measures are in place to promote intellectual diversity and how to report alleged violations of institutional policy. This would protect a student's individual religiously-held beliefs.

HB213 passed the House and made it to the Senate Calendar for debate, but the session ended before any action was taken.

HB1138 Villa (D-St. Louis)

- Legalization of marijuana
- This bill changes the laws regarding the classification of marijuana as a controlled substance. In its main provisions, the bill:
- Removes marijuana from the Schedule I classification for controlled substances and reclassifies it under Schedule II;
- Prohibits the arrest or prosecution of a qualifying patient who possesses a written certification for the use of marijuana for medical purposes. A qualifying patient younger than 18 years of age is also exempt from arrest or prosecution if a parent or guardian consents to and controls the use of marijuana for medical purposes;
- Prohibits a physician from being subject to arrest, prosecution, penalty, or denial of any right for providing written certification for the medical use of marijuana to a qualifying patient;
- Requires that marijuana, drug paraphernalia, or other property seized from a qualifying patient or primary caregiver in connection with the claimed medical use of marijuana be returned to the patient or caregiver following a determination by a court or prosecutor that these individuals are entitled to the protections contained in the bill;
- Gives medical marijuana patients the same rights as other pharmaceutically medicated individuals relating to routine traffic stops, interaction with law enforcement that does not involve an illegal act, employer interaction, and drug testing pertaining to marijuana and its metabolites;
- Prohibits the medical use of marijuana when it compromises the health or well-being of another or while a person is operating heavy machinery or driving an automobile. The smoking of marijuana is prohibited in a school bus, public bus, or other public vehicle; in the workplace; on school grounds; in a correctional facility; or at any public park, public beach, public recreation center, or youth center unless the area is designated for medical marijuana use;
- Prohibits the fraudulent representation of the medical use of marijuana to any law enforcement official. A person who violates this provision will be subject to criminal and monetary penalties;
- Allows a qualifying patient or a primary caregiver to assert a defense for the medical use of marijuana based on certain conditions;
- Requires the Department of Health and Senior Services to develop rules for governing the issuance of registry identification cards. A qualifying patient and primary caregiver are required to submit certain information before receiving the card. Possession of the card by a qualifying patient or a primary caregiver is required;
- Requires the department to maintain a confidential list of persons who have been issued a card; and

- Requires an organization to register with the department to sell, administer, deliver, dispense, distribute, cultivate, or possess marijuana or related supplies for medicinal use.
- The bill has a referendum provision and will be submitted to qualified voters by November 2008.

Thankfully, the Speaker of the House did not even assign this bill to a committee which is the first major step in the process.