

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-NINTH DAY—THURSDAY, MAY 10, 2007

The Senate met pursuant to adjournment.

Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent—Senators—None

“The Lord is merciful and gracious; slow to anger and abounding in steadfast love.” (Psalm 103:8)

Absent with leave—Senator Coleman—1

O Loving God, there is much we can learn from You as we deal with each other this day. Even though we may disagree with one another let us do so with graciousness and not let the heat of the moment lead us to anger but keep us on a level path and guide our decisions this day so they may be in keeping with Your teachings. In Your Holy Name we pray. Amen.

Vacancies—None

The Pledge of Allegiance to the Flag was recited.

Senator Shields announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

A quorum being established, the Senate proceeded with its business.

RESOLUTIONS

The Journal of the previous day was read and approved.

Senator Gibbons offered Senate Resolution No. 1277, regarding the City of Kirkwood, which was adopted.

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

Senator Smith offered Senate Resolution No. 1278, regarding Jamie Myers, which was adopted.

Present—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason

Senator Smith offered Senate Resolution No. 1279, regarding Tony Thompson, St. Louis, which was adopted.

Senator Scott offered Senate Resolution No. 1280, regarding Ruth Ann Huffman, Lincoln,

which was adopted.

Senator Green offered Senate Resolution No. 1281, regarding Samuel Kenneth “Sam” Kost, Florissant, which was adopted.

Senator Green offered Senate Resolution No. 1282, regarding Sister Gail Guelker of the School Sisters of Notre Dame, Saint Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1283, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Lopp, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1284, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Neel, Sikeston, which was adopted.

Senator Champion offered Senate Resolution No. 1285, regarding Chris Clark, Springfield, which was adopted.

Senator Champion offered Senate Resolution No. 1286, regarding Megan VanStrohe, Springfield, which was adopted.

Senator Champion offered Senate Resolution No. 1287, regarding Tim Brooks, Springfield, which was adopted.

Senator Crowell offered Senate Resolution No. 1288, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Kolb, Perryville, which was adopted.

Senator Koster offered Senate Resolution No. 1289, regarding Brenda Jurgens, which was adopted.

Senator Koster offered Senate Resolution No. 1290, regarding the One Hundred Fourth Birthday of Marguerite E. Hoberecht, Raymore, which was adopted.

Senator Koster offered Senate Resolution No. 1291, regarding Patrick Jurgens, which was adopted.

Senator Scott offered Senate Resolution

No. 1292, regarding Justin Culbertson, El Dorado Springs, which was adopted.

Senator Scott offered Senate Resolution No. 1293, regarding Kayla Hedrick, El Dorado Springs, which was adopted.

Senator Scott offered Senate Resolution No. 1294, regarding Sydney Friar, El Dorado Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 1295, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Joseph Day, Pilot Grove, which was adopted.

Senator Crowell offered Senate Resolution No. 1296, regarding Becky Hicks, which was adopted.

Senator Crowell offered Senate Resolution No. 1297, regarding Barb Egbert, which was adopted.

Senator Crowell offered Senate Resolution No. 1298, regarding Jamie Dollins, Morley, which was adopted.

Senator Crowell offered Senate Resolution No. 1299, regarding Krista Renfro, Morley, which was adopted.

Senator Purgason offered Senate Resolution No. 1300, regarding David V. Kissinger, West Plains, which was adopted.

Senator Purgason offered Senate Resolution No. 1301, regarding Jonathan K. Kissinger, West Plains, which was adopted.

Senator Clemens offered Senate Resolution No. 1302, regarding Ryan Bilyeu, Ozark, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Gibbons, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were

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

Twila G. Hillme, as a member of the Missouri Real Estate Commission;

Also,

Julie A. Molendorp, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Karen W. Bartz, as a member of the Coordinating Board for Early Childhood;

Also,

Mark W. States, as a member of the Board of Examiners for Hearing Instrument Specialists;

Also,

Chasity L. Anderson, as a member of the Amber Alert System Oversight Committee;

Also,

Stacey L. Karns, as a member of the Advisory Committee for Physicians Assistants;

Also,

Christina L. Bruning, as a member of the Missouri Advisory Commission for Physician Assistants;

Also,

Jane B. Evans and William "Jay" Acock, Republicans, as members of the Missouri Community Service Commission;

Also,

Stephen S. Davis, as a member of the Second State Capitol Commission;

Also,

William P. Hopfinger and Paula J. Burnett, as members of the Advisory Commission for Physical Therapists;

Also,

Autumn L Hooper, R.N, as a member of the Missouri State Board of Nursing;

Also,

William F. Madosky, D.C. and Paul Nahon, as members of the Missouri State Board of Chiropractic Examiners;

Also,

Carol G. Ryan, D.V.M., Democrat, Linda Hickam-Fountain, D.V.M. and David L. Gourley, D.V.M., Republican, as members of the Missouri Veterinary Medical Board;

Also,

Robert D. Onder, Jr., as a member of the Life Sciences Research Board;

Also,

James D. Riddle, R.Ph., as a member of the State Board of Pharmacy;

Also,

Melvin C. DeClue and Gregory L. Hempen, as members of the Seismic Safety Commission;

Also,

Katie J. Smith, as the Director of the Department of Agriculture;

Also,

Peggy E. Adams, as a member of the Child Abuse and Neglect Review Board B;

Also,

Katherine D. Hilton, as a member of the Child Abuse and Neglect Review Board A;

Also,

Katherine Suzanne Bradley, Republican and Larry W. Plunkett, Sr., Democrat, as members of the Missouri Gaming Commission;

Also,

Jeffrey Appleman, D.P.M., Republican, as a member of the State Board of Podiatric Medicine.

Senator Gibbons requested unanimous consent of the Senate to vote on the above reports, with the exception of the reports on Robert D. Onder, Jr. and Katie J. Smith, in one motion. There being no objection, the request was granted.

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

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Katie J. Smith, as the Director of the Department of Agriculture, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Shields moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Gross assumed the Chair.

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Robert D. Onder, Jr., as a member of the Life Sciences Research Board, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Rupp moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment.

Senator Scott assumed the Chair.

At the request of Senator Rupp, his motion to adopt the committee report on Robert D. Onder, Jr., was withdrawn.

On motion of Senator Shields, the Senate recessed until 3:25 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Engler.

REPORTS OF STANDING COMMITTEES

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 16**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 17**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 433**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 233** and has taken up and passed **CCS** for **SB 233**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HCS** for **SB 166** and has again taken up and passed **SB 166**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS**, as amended, for **SCS** for **HB 255** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 82**, as amended. Representatives: Tilley, Scharnhorst, Parson, Robinson and Burnett.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 84**, as amended. Representatives: Franz, McGhee, Muschany, Low (39) and Mott-Oxford.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 156**, as amended. Representatives: Quinn (7), Dethrow, Hobbs, McClanahan and Witte.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 416**. Representatives: Pratt, Flook, Kraus, George and Zimmerman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HB 488**, as amended. Representatives: Wasson, Richard, Parson, Corcoran and Meadows.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HB 574**, as amended. Representatives: St. Onge, Schlottach, Bevins, Daus and Kuessner.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SS** for **HB 665**, as amended. Representatives: Ervin, Flook, Sutherland, Bringer and Skaggs.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the conferees on **SS** for **HB 665**, as amended be allowed to exceed the differences on language concerning assessors.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on the Third Reading and Passage of **CCS** for **SS** for **SCS** for **HCS** for **HB 327** and has receded from its position on the adoption of the **CCR** for **SS** for **SCS** for **HCS** for **HB 327**, as amended, and has taken up and adopted **SS** for **SCS** for **HCS** for **HB 327**, as amended, and has Truly Agreed To and Finally Passed **SS** for **SCS** for **HCS** for **HB 327**, as amended.

Emergency clause defeated.

HOUSE BILLS ON THIRD READING

HCS for **HB 894**, with **SCS**, entitled:

An Act to repeal section 115.329, RSMo, and to enact in lieu thereof one new section relating to independent candidates.

Was called from the Informal Calendar and taken up by Senator Days.

SCS for **HCS** for **HB 894**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 894

An Act to repeal sections 115.045, 115.241, 115.247, 115.321, 115.329, and 115.342, RSMo, and to enact in lieu thereof five new sections relating to elections.

Was taken up.

Senator Days moved that **SCS** for **HCS** for **HB 894** be adopted.

Senator Days offered **SS** for **SCS** for **HCS** for **HB 894**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 894

An Act to repeal sections 115.045, 115.241, 115.315, 115.321, 115.327, 115.329, and 115.342, RSMo, and to enact in lieu thereof six new sections relating to elections.

Senator Days moved that **SS** for **SCS** for **HCS** for **HB 894** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 2, Section 115.045, Line 7 of said page, by inserting after all of said line the following:

“115.164. The secretary of state's office shall send voter registration application forms to applicants for resident hunting or fishing permits as required in this section. Beginning September 1, 2007, and the first business day of each month thereafter, the secretary of state's office shall request from the department of conservation the point-of-sale database records of all applicants for resident hunting and fishing permits. Upon transfer of the database records as authorized in section 252.228, RSMo, the secretary of state's office shall compare such records with the Missouri voter registration system. Any hunting or fishing permit applicant who is eligible but not registered to vote shall be sent a voter registration application form. Such form shall be mailed to the address of record on such applicant's permit application within five days after the secretary of state's office receives the point-of-sale database records from the department of conservation.”; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Days, **HCS** for **HB 894**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Goodman, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 914**; **SS** for **SCS** for **HCS** for **HB 780**; **HCS** for **HB 457**, with **SCS**; **HCS** for **HB 227**; and **HB 215**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Scott moved that **SS** for **SCS** for **HCS** for **HB 780**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Scott, **SS** for **SCS** for **HCS** for **HB 780**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion
Clemens	Crowell	Days	Engler
Goodman	Green	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Wilson—27	

NAYS—Senators

Barnitz	Graham	Purgason—3
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Absent—Senators

Gibbons	Griesheimer	Vogel—3
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Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Scott, title to the bill was agreed to.

Senator Scott moved that the vote by which the bill passed be reconsidered.

Senator Shields moved that motion lay on the table, which motion prevailed.

Senator Days moved that **HCS** for **HB 894**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Bray offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 1, Section 115.164, Line 3, by inserting before all of said line the following:

“115.162. 1. A voter registration application shall be provided by the secretary of state in all offices of the state that provide public assistance, all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities, and other offices as directed by the governor. In addition, all armed forces recruitment offices **and all health care clinics that receive state funding** shall be considered a voter registration agency.

2. At each voter registration agency, the following services shall be made available:

(1) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance;

(2) Acceptance of completed voter registration application forms for transmittal to the election authority located in the same county or any city not within a county, or if there is more than one election authority within the county, to the election authority nearest to the office of the agency. The election authority receiving the application forms shall review the applications and forward any applications pertaining to a different election authority to that election authority;

(3) Voter registration sites shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant;

(4) If a voter registration agency provides services to a person with a disability at the person's home, the agency shall provide the services provided in this section at the person's home.

3. An applicant declining to register in any

agency shall be noted in a declination section incorporated into the voter registration form used by the agency. No information relating to a declination to register to vote in connection with an application made at a voter registration agency may be used for any purpose other than voter registration.”; and

Further amend said amendment, Page 1, Section 115.164, Line 3, by inserting immediately after “115.164.” the following: “1.”; and further amend Line 18, by inserting after all of said line the following:

“2. All broadcasts produced by or for the Missouri department of conservation shall include an announcement designed to inform viewers or listeners of the broadcast how to obtain a voter registration application.

3. All state funded agencies, divisions, offices, and programs that provide services through the mail, shall provide a voter registration application with their initial mailing to each individual of voting age who applies for services through the mail.

4. Beginning on September 1, 2007, and on September one each year thereafter the department of higher education shall provide the secretary of state with a record of each new student enrolled in a public junior college, college, or university. Upon receipt of the records, the secretary of state's office shall compare such records with the Missouri voter registration system. Any student who is eligible but not registered to vote shall be sent a voter registration application.

5. Beginning on September 1, 2007, and on September one each year thereafter the department of elementary and secondary education shall provide the secretary of state with a record of each high school senior. Upon receipt of the records, the secretary of state's office shall compare such records with the Missouri voter registration system. Any student

who is eligible but not registered to vote shall be sent a voter registration application.

6. The state board of education shall provide a voter registration application to each new teacher or administrator who is issued a certificate of license to teach in any of the public schools of this state.

7. All state funded agencies, divisions, offices, and programs that provide services through the Internet, shall provide a link to the secretary of state's first vote website, <https://www.sos.gov/firstvote/students/request.asp>, on the opening pages of their official state Internet websites.”; and

Further amend the title and enacting clause accordingly.

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

SA 1 was again taken up.

Senator Crowell moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Callahan, Green, Gross and Loudon.

SA 1 was adopted by the following vote:

YEAS—Senators

Bartle	Callahan	Champion	Clemens
Crowell	Engler	Gibbons	Goodman
Gross	Koster	Lager	Mayer
McKenna	Nodler	Rupp	Scott
Shields	Stouffer—18		

NAYS—Senators

Barnitz	Bray	Days	Graham
Green	Justus	Kennedy	Loudon
Purgason	Ridgeway	Shoemyer	Smith
Wilson—13			

Absent—Senators

Griesheimer	Vogel—2
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Absent with leave—Senator Coleman—1

Vacancies—None

Senator Green offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 8, Section 115.342, Lines 10-28 of said page, by striking all of said lines; and

Further amend said bill, page 9, section 115.342, lines 1-17, by striking all of said lines and inserting in lieu thereof the following:

“115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes, or if the person is a past or present corporate officer of any department of revenue fee office that contracts or contracted for services with the state that owes any taxes to the state that became due during the officer's tenure, other than those taxes that may be in dispute.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

“AFFIRMATION OF TAX PAYMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the payment of any state income taxes, personal property taxes, real property taxes, or that I am a past or present corporate officer of any department of revenue fee office that contracts or contracted for services with the state that owes any taxes to the state that became due during the officer's tenure, other than those taxes which may be in dispute.

..... Candidate's Signature

..... Printed Name of Candidate.”

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, real property taxes, or that the person is a past or present corporate officer of any department of revenue fee office that contracts or contracted for services with the state that owes any taxes to the state that became due during the officer's tenure, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint and complete such investigation within ten days. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refileing for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.”

Senator Green moved that the above amendment be adopted.

At the request of Senator Days, HCS for HB 894, with SCS, SS for SCS and SA 2 (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the

House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 10** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 10

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Charles R. Gross	/s/ Allen Icet
/s/ Gary Nodler	/s/ Ed Robb
/s/ Robert N. Mayer	/s/ Bryan P. Stevenson
/s/ Joan Bray	Margaret Donnelly
/s/ Timothy P. Green	Shalonn Curls

Senator Gross moved that the above

conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion
Clemens	Crowell	Days	Engler
Gibbons	Goodman	Graham	Green
Gross	Justus	Kennedy	Koster
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Wilson—29			

NAYS—Senators

Bartle Lager—2

Absent—Senators

Griesheimer Vogel—2

Absent with leave—Senator Coleman—1

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 10**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion
Clemens	Crowell	Days	Engler

Gibbons	Goodman	Graham	Green
Gross	Justus	Kennedy	Koster
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Wilson—29			

NAYS—Senators

Bartle Lager—2

Absent—Senators

Griesheimer Vogel—2

Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Gross, title to the bill was agreed to.

Senator Gross moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Days moved that HCS for HB 894, with SCS, SS for SCS and SA 2 (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Green, SA 2 was withdrawn.

Senator Green offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 8, Section 115.342, Lines 10-28 of said page, by striking all of said lines; and

Further amend said bill, page 9, section 115.342, lines 1-17, by striking all of said lines and inserting in lieu thereof the following:

“115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified by the secretary of state from participation in the election for which the candidate has filed if such person is delinquent in filing or paying any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit and copies of paid tax receipts for personal property and real property on the place of residence owned in Missouri by the potential candidate with the secretary of state as required under section 115.349. Such affidavit shall be in substantially the following form:

“AFFIRMATION OF TAX PAYMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I and my spouse, if filing a combined return, authorize a request the Missouri Department of Revenue to release confidential tax records to the Secretary of State pertaining to me and my spouse, if filing a combined return.

.....Candidate's Signature
.....Spouse's Signature
..... Printed Name of Candidate
..... Printed Name of Spouse.”

3. Upon receipt of a complaint alleging a

delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any department of revenue fee office owes any taxes to the state, the secretary of state shall investigate such potential candidate to verify the claim contained in the complaint. If the secretary of state finds a positive affirmation to be false, the secretary of state shall contact the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The secretary of state shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute. If the candidate fails to remit such amounts in full within thirty days, the secretary of state shall disqualify the candidate from participating in the current election and from refile for an entire election cycle even if the individual pays all of the outstanding taxes.”.

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

Senator Justus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 10, Section 115.342, Line 33, by inserting after said line the following:

“Section 1. The director of the department of revenue shall include with the registration notice required by section 301.040, RSMo, a voter registration application form that conforms with the provisions of section 115.160, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Bray, Callahan, Graham and Days.

SA 4 was adopted by the following vote:

YEAS—Senators

Bray	Callahan	Champion	Days
Engler	Gibbons	Goodman	Graham
Green	Gross	Justus	Kennedy
Koster	Lager	Mayer	McKenna
Rupp	Shoemyer	Smith	Wilson—20

NAYS—Senators

Barnitz	Clemens	Crowell	Loudon
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer—10		

Absent—Senators

Bartle	Griesheimer	Vogel—3
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Absent with leave—Senator Coleman—1

Vacancies—None

Senator Shoemyer offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 9, Section 115.342, Line 17, by inserting after all of said line the following:

“Section 1. All state funded agencies that provide agency information through the internet shall provide a link to the secretary of state’s First Vote website on the opening page of the agency’s website.”.

And further amend the title and enacting clause accordingly.

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

Senator Barnitz offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 894, Page 9, Section 115.342, Line 17, by inserting after all of said line the following:

“Section 1. Beginning on September 1, 2007, and on September one each year thereafter the department of elementary and secondary education shall provide the secretary of state with a record of each high school senior. Upon receipt of the records, the secretary of state's office shall compare such records with the Missouri voter registration system. Any student who is eligible but not registered to vote shall be sent a voter registration application.”; and further amend the title and enacting clause accordingly.

Senator Barnitz moved that the above amendment be adopted.

Senator Loudon requested a roll call vote be taken on the adoption of **SA 6**. He was joined in his request by Senators Barnitz, Bartle, Koster and Shoemyer.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Days
Engler	Graham	Green	Justus
Kennedy	Lager	McKenna	Shoemyer
Smith	Wilson—14		

NAYS—Senators

Bartle	Champion	Clemens	Crowell
Gibbons	Goodman	Griesheimer	Gross
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Stouffer	Vogel—19	

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

At the request of Senator Days, **HCS** for **HB 894**, with **SCS**, **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

On motion of Senator Shields, the Senate recessed until 5:30 p.m.

RECESS

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

HOUSE BILLS ON THIRD READING

Senator Loudon moved that **HCS** for **HB 818**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Loudon, **SS** for **SCS** for **HCS** for **HB 818** was withdrawn.

Senator Loudon offered **SS No. 2** for **SCS** for **HCS** for **HB 818**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 818

An Act to repeal sections 103.085, 143.121, 143.782, 313.321, 376.426, 376.776, 376.960, 376.961, 376.964, 376.966, 376.986, 376.989, 379.930, 379.936, 379.938, 379.940, 379.942, 379.943, 379.944, and 379.952, RSMo, and to enact in lieu thereof forty-nine new sections relating to health insurance, with an effective date for certain sections.

Senator Loudon moved that **SS No. 2** for **SCS** for **HCS** for **HB 818** be adopted.

Senator Shoemyer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 818, Page 69, Section 376.990, Line 24 of said page, by inserting

after all of said lines the following:

“376.1175. 1. Every health carrier and health benefit plan, as defined in section 376.1350, shall include in its network of service providers any durable medical equipment provider that:

(1) Has a main office located in a Missouri community with a population of twenty-five thousand or less; and

(2) Is certified as a Medicare and/or Medicaid provider, and by the Missouri board of pharmacy; and

(3) Registers with the department of insurance as provided in subsection 2 of this section.

2. To be included in a health carrier's or health benefit plan's network of providers, a durable medical equipment provider that meets the requirements in subdivisions (1) and (2) of subsection 1 of this section shall register with the department of insurance as an eligible durable medical equipment provider. The department of insurance, in consultation with the department of social services, shall verify the eligibility of any durable medical equipment provider requesting to register with the department and, upon verification of eligibility, shall include such provider in a durable medical provider registry, which shall be made available to all health carriers and health benefit plans licensed to do business in the state.

3. Every health carrier and health benefit plan licensed to do business in the state of Missouri shall include any durable medical equipment provider that registers with the department of insurance under this section in its network of providers.

4. All durable medical equipment providers that register under this section prior to November first shall be included in the network of providers for the following calendar year.

After a provider's initial registration, the provider shall remain on the registry so long as the provider provides notice to the department of insurance by November first of the provider's continued eligibility and desire to remain on the registry. On or before January first of each year, all health carriers and health benefit plans shall provide each provider that registers with the department of insurance by November first of the provider's inclusion in the carrier's or plan's network of providers.

5. The department of insurance shall promulgate rules to implement the provisions of this section, including but not limited to forms for registration and renewal of registration. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. Any health carrier or health benefit plan that violates the provisions of this section shall have its license to do business in the state of Missouri subject to sanction by the department of insurance.”; and

Further amend the title and enacting clause accordingly.

Senator Shoemyer moved that the above amendment be adopted.

At the request of Senator Loudon, HCS for HB 818, with SCS, SS No. 2 for SCS and SA 1 (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 11**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 11**.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Charles R. Gross /s/ Allen Icet

/s/ Gary Nodler /s/ Ed Robb
/s/ Robert N. Mayer /s/ Bryan P. Stevenson
/s/ Joan Bray Margaret Donnelly
/s/ Timothy P. Green Judy Baker

Senator Gross moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion
Clemens	Crowell	Days	Engler
Gibbons	Goodman	Green	Griesheimer
Gross	Justus	Kennedy	Koster
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Stouffer	Vogel	Wilson—28

NAYS—Senators

Bartle	Graham	Lager	Shoemyer
Smith—5			

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 11**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 11**

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion
Clemens	Crowell	Days	Engler
Gibbons	Goodman	Green	Griesheimer
Gross	Justus	Kennedy	Koster
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Smith	Stouffer	Vogel
Wilson—29			

NAYS—Senators

Bartle	Graham	Lager	Shoemyer—4
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Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Gross, title to the bill was agreed to.

Senator Gross moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 12** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SCS** for **SBs 62** and **41**, as

amended. Representatives: Ruestman, Munzlinger, Cox, Bringer and Robinson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 13** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 13**.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 12** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Charles R. Gross

/s/ Gary Nodler

FOR THE HOUSE:

/s/ Allen Icet

/s/ Ed Robb

/s/ Robert N. Mayer /s/ Bryan P. Stevenson
 /s/ Joan Bray Paul LeVota
 /s/ Timothy P. Green Margaret Donnelly

Senator Gross moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 12**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
 FOR SENATE COMMITTEE SUBSTITUTE
 FOR HOUSE COMMITTEE SUBSTITUTE
 FOR HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly,

including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Gross, title to the bill was agreed to.

Senator Gross moved that the vote by which the bill passed be reconsidered.

Senator Callahan moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Scott, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 338**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Clemens, Chairman of the Committee on Agriculture, Conservation, Parks and Natural Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **HB 647**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nodler, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 70**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 213**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 13** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 13

The Conference Committee appointed on Senate

Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Robert N. Mayer
- /s/ Joan Bray
- /s/ Timothy P. Green

FOR THE HOUSE:

- /s/ Allen Icet
- /s/ Ed Robb
- /s/ Bryan P. Stevenson
- /s/ Paul LeVota
- /s/ Margaret Donnelly

Senator Gross moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

Senator Scott assumed the Chair.

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 13**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Gross, title to the bill was agreed to.

Senator Gross moved that the vote by which the bill passed be reconsidered.

Senator Wilson moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Vogel moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 255**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Champion moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 86**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE REPORTS

Senator Griesheimer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 81**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 81

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 81, with House Amendment Nos. 1, 2, and 3, House Amendment No. 2 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 81;
2. That the Senate recede from its position on

Senate Bill No. 81;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 81, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ John E. Griesheimer	/s/ Charles Schlottach
/s/ Chris Koster	/s/ Jason T. Smith
/s/ Kevin Engler	/s/ Kevin Threlkeld
/s/ Victor E. Callahan	/s/ Trent Skaggs
/s/ Ryan McKenna	/s/ Jacob Zimmerman

Senator Griesheimer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Coleman—1

Vacancies—None

On motion of Senator Griesheimer, **CCS** for **HCS** for **SB 81**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 81

An Act to repeal sections 67.1003, 67.1360, 67.2500, 67.2510, 89.010, 89.400, 94.837, RSMo, and section 67.2505 as enacted by conference committee substitute for senate substitute for

senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505, as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and to enact in lieu thereof nine new sections relating to the promotion of local tourism and economic development, with an emergency clause.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer

McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Coleman—1

Vacancies—None

On motion of Senator Griesheimer, title to the bill was agreed to.

Senator Griesheimer moved that the vote by which the bill passed be reconsidered.

Senator Shields moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 17** and has taken up and passed **SCS** for **HCS** for **HB 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 18** and has taken up and passed **SCS** for **HCS** for **HB 18**.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 255**, as amended: Senators Vogel, Scott, Ridgeway, Green and Shoemyer.

REPORTS OF STANDING COMMITTEES

Senator Rupp moved that the committee report made by the Gubernatorial Appointments' Committee on Robert D. Onder, Jr., be taken up for adoption, which motion prevailed.

Senator Rupp moved that the committee report be adopted and the Senate do give its advice and consent to the appointment of Robert D. Onder, Jr., which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Loudon moved **HCS** for **HB 818**, with **SCS**, **SS No. 2** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

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

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 818, Page 70, Section 376.990, Line 20 of said page, by inserting before the word "third" the following: "**licensed**".

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

Senator Loudon moved that **SS No. 2** for **SCS** for **HCS** for **HB 818**, as amended, be adopted, which motion prevailed.

On motion of Senator Loudon, **SS No. 2** for **SCS** for **HCS** for **HB 818**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Crowell	Days
Engler	Gibbons	Goodman	Graham

Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel—31	

NAYS—Senators—None

Absent—Senators

Green Wilson—2

Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Loudon, title to the bill was agreed to.

Senator Loudon moved that the vote by which the bill passed be reconsidered.

Senator Shields moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Nodler offered Senate Resolution No. 1303, regarding the Twenty-fifth Anniversary of the Metropolitan Emergency Transport System, Joplin, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Elizabeth Cavanagh, M.D., St. Louis.

Senator Barnitz introduced to the Senate, Coach Doug Grooms and members of the University of Rolla swim team, Chris Scheuber, Matthew Adams, Matt Hammond, Bill Gaul, Andy Shelley and Travis Stensby.

Senator Gibbons introduced to the Senate, Christopher Brown, Des Peres; and Alyssa Mayer, Kirksville.

On motion of Senator Shields, the Senate adjourned until 2:00 p.m., Monday, May 14, 2007.

SENATE CALENDAR

SEVENTIETH DAY—MONDAY, MAY 14, 2007

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 758-Brown (50)

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| 1. SB 571-Mayer, with SCS | 7. SB 484-Stouffer, with SCS |
| 2. SB 652-Coleman and Gibbons, with SCS | 8. SBs 348, 626 & 461-Koster, et al, with SCS |
| 3. SB 699-Lager, with SCS | 9. SJR 15-Green |
| 4. SB 11-Coleman, with SCS | 10. SB 629-Smith, with SCS |
| 5. SB 536-Lager, with SCS | 11. SB 122-Bray and Days, with SCS |
| 6. SB 552-Bartle | 12. SB 491-Ridgeway |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 74 (Scott) (In Fiscal Oversight) | 6. HCS for HB 457, with SCS
(Griesheimer) |
| 2. HB 801-Kraus, et al, with SCS (Engler) | 7. HCS for HB 227 (Mayer) |
| 3. HCS for HB 914 (Scott) | 8. HCS for HB 338, with SCS |
| 4. HCS for HBs 619 & 118, with SCS
(Griesheimer) | 9. HB 647-Young, et al |
| 5. HB 215-Stevenson, et al, with SCS
(Goodman) | 10. HB 70-Day, et al (Rupp) |
| | 11. HB 213-Cunningham (86), et al, with
SCS (Rupp) |

Unofficial

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|---------------------------------|-----------------------|
| SS for SB 303-Loudon | SS for SB 570-Clemens |
| SS#4 for SCS for SB 430-Shields | |

Journal

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 2-Gibbons, with SCS | SB 213-McKenna |
| SB 17-Shields, with SCS | SB 242-Nodler, with SCS |
| SB 20-Griesheimer, with SCS | SB 250-Ridgeway and Vogel |
| SB 27-Bartle and Koster | SB 252-Ridgeway and McKenna |
| SB 53-Koster and Engler, with SCS | SB 254-Nodler, et al, with SCS |
| SB 101-Mayer | SBs 260 & 71-Koster, et al, with SCS |
| SB 131-Rupp | SB 274-Shields |
| SB 153-Engler, et al, with SCS | SB 282-Griesheimer, with SCS & SS for
SCS (pending) |
| SB 155-Engler, with SCS & SS for SCS
(pending) | SB 287-Crowell and Vogel, with SS
(pending) |
| SB 160-Rupp, with SCS | SB 292-Mayer |
| SB 168-Mayer and Crowell, with SCS, SS
for SCS & SA 1 (pending) | SB 297-Loudon, with SCS |
| SB 169-Rupp, with SCS, SS for SCS & SA 3
(pending) | SB 300-Bartle |
| SB 205-Stouffer and Gibbons, with SCS | SB 341-Goodman, with SCS |
| SB 212-Goodman | SB 363-Bartle |

SB 364-Koster, with SCS, SS for SCS,
SA 1 & SSA 1 for SA 1 (pending)
SBs 370, 375 & 432-Scott and Koster,
with SCS & SA 5 (pending)
SBs 372 & 366-Justus and Koster, with SCS
SB 385-Gibbons, with SCS
SB 388-Mayer, with SCS
SB 400-Crowell, et al
SB 444-Goodman
SB 453-Scott, with SCS
SB 458-Gibbons
SB 476-Crowell
SB 480-Ridgeway, et al, with SCS
SB 492-Crowell
SB 499-Engler and Clemens, with SCS
SB 511-Scott, with SCS
SB 521-Lager, et al, with SCS
SB 523-Scott, with SCS

SB 531-Gibbons, with SCS
SB 534-Nodler
SB 537-Lager
SB 542-Scott, with SCS
SBs 555 & 38-Gibbons, with SCS
SB 563-Lager, with SCS & SS for SCS
(pending)
SB 572-Vogel
SB 586-Crowell, with SCS
SB 592-Scott, with SCS
SB 599-Engler, with SCS
SB 627-Ridgeway
SB 635-Loudon, with SCS
SB 644-Griesheimer
SBs 660, 553, 557, 167, 258, 114 &
378-Mayer, with SCS
SB 698-Ridgeway, et al, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 39, with SCS (Koster)
HB 42-Portwood, with SCS (Koster)
HB 46-Viebrock and Stevenson (Stouffer)
HB 69-Day, with SCS (Barnitz)
HCS for HB 98 (Scott)
HB 125-Franz, with SCS (Shoemyer)
HCS for HB 135, with SCS (Koster)
HB 155-Dusenberg, et al (Ridgeway)
HCS for HB 165, with SCS (Griesheimer)
HCS for HB 184 (Rupp)
HCS for HB 245 (Stouffer)
SS for HB 265-Cunningham (86) (Rupp)
(In Fiscal Oversight)
HB 267-Jones (117) and Cunningham (86),
with SA 5 (pending) (Rupp)
HB 269-Nolte, et al (Ridgeway)
HCS for HB 329, with SCS (Scott)
HCS for HB 346 (Clemens)
HCS for HB 431, with SCS (Goodman)

HB 454-Jetton, et al (Mayer)
HB 462-Munzlinger, et al (Purgason)
HCS for HB 469, with SCS (Crowell)
HB 482-Walton, et al (Goodman)
HB 489-Baker (123), et al, with SCS
(Shields)
HB 526-Pratt (Loudon)
HB 527-Cooper (120) (Scott)
HCS for HB 551, with SCS & SS for SCS
(pending) (Koster)
HCS for HB 583, with SCS (Gibbons)
HB 596-St. Onge, with SCS (Stouffer)
HCS for HB 620, with SCS (Ridgeway)
HCS for HBs 654 & 938 (Crowell)
HB 686-Smith (150) and Tilley (Stouffer)
HCS for HB 741 (Koster)
HCS for HB 774 (Crowell)
HCS for HB 820, with SA 2 & SSA 1 for
SA 2 (pending) (Engler)

HCS for HB 827, with SCS (Justus)
HCS for HB 845 (Crowell)
HB 875-Franz, with SCS (Crowell)
HCS for HB 894, with SCS & SS for SCS
(pending) (Days)
HB 1014-Wright, et al, with SCS (Mayer)

HCS for HB 1055, with SCA 1 (Scott)
HCS for HJR 1, with SCS (Rupp)
HJR 7-Nieves, et al, with SCS (pending)
(Engler)
HJR 19-Bearden, et al (Ridgeway)

CONSENT CALENDAR

Senate Bills

Reported 2/8

SB 211-Goodman

Reported 2/15

SB 8-Kennedy

Reported 3/8

SB 185-Green

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 54-Koster, with HCS, as
amended

SB 666-Scott, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 25-Champion, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 30-Nodler and Ridgeway, with HCS, as
amended
SCS for SBs 62 & 41-Goodman and Koster,
with HCS, as amended

SCS for SB 64-Goodman and Koster, with
HCS, as amended
SB 81-Griesheimer, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 82-Griesheimer, with HCS, as
amended

SB 84-Champion, with HCS, as amended
 SCS for SB 156-Engler, with HCS, as
 amended
 SCS for SB 198-Mayer, with HCS
 SCS for SB 308-Crowell, et al, with HCS,
 as amended
 SB 406-Crowell, with HCS#2, as amended
 SB 416-Goodman, with HCS

HB 255-Bruns, with SS for SCS, as
 amended (Vogel)
 HB 488-Wasson, with SA 1 (Stouffer)
 HB 574-St. Onge, with SA 1 & SA 3
 (Stouffer)
 HB 665-Ervin, et al, with SS, as amended
 (Ridgeway)

Unofficial
 Requests to Recede or Grant Conference

SCS for SB 86-Champion, with HCS, as
 amended (Senate requests House recede or
 grant conference)

RESOLUTIONS

Journal
 Reported from Committee

HCR 15-Threlkeld, et al, with SCS
 (Shields)
 SCR 10-Koster and Shields
 HCR 25-Yates, et al (Bartle)
 HCR 30-Pratt, et al (Koster)
 HCR 11-Ervin and Flook (Ridgeway)
 HCR 8-Loehner, et al (Barnitz)

SCR 9-Crowell
 SCR 20-Crowell
 HCR 24-Wilson (130), et al (Mayer)
 HCR 20-Guest, et al, with SCS (Purgason)
 HCR 16-Deeken (Gibbons)
 HCR 17-Fisher, et al

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