

# Journal of the Senate

FIRST REGULAR SESSION

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**SIXTY-NINTH DAY—TUESDAY, MAY 12, 2009**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Shields offered the following prayer:

“He is before all things, and in him all things hold together.” (Colossians 1:17)

Dear Lord, today we continue to come together humbly to complete our work on behalf of the people we represent. This week, while we will be unable to avoid stress, please Lord, let Your wisdom lead us in our decisions. Help us hold together by communicating with one another, rather than against each other. Help us to stay focused, Lord, on performing Your will for the people of Missouri. In Your Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

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

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

**HOUSE BILLS ON THIRD READING**

**HCS for HB 251**, entitled:

An Act to repeal section 416.440, RSMo, and to enact in lieu thereof one new section relating to the sale of milk.

Was called from the Consent Calendar and taken up by Senator Clemens.

On motion of Senator Clemens, **HCS for HB 251** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 210**, introduced by Representative Deeken, entitled:

An Act to repeal sections 104.540 and 104.1054, RSMo, and to enact in lieu thereof two new sections relating to state retirement.

Was called from the Consent Calendar and taken up by Senator Crowell.

On motion of Senator Crowell, **HB 210** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Barnitz          Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 400**, introduced by Representative Nasheed, et al, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to free parking for certain veterans.

Was called from the Consent Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 400** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Barnitz—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 593**, introduced by Representative Viebrock, entitled:

An Act to repeal sections 86.107 and 86.590, RSMo, and to enact in lieu thereof two new sections relating to investments by the board of trustees of police and firemen's pension systems.

Was called from the Consent Calendar and taken up by Senator Crowell.

Under the provisions of Senate Rule 91, Senator Wilson was excused from voting on 3rd reading of the bill.

On motion of Senator Crowell, **HB 593** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Barnitz            Schaefer—2

Absent with leave—Senators—None

Excused from voting—Senator Wilson—1

Vacancies—None

The President declared the bill passed.

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

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

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

### PRIVILEGED MOTIONS

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 683**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 683

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 683, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, and Senate Committee Amendment No. 1, 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 Substitute for Senate Committee Substitute for House Bill No. 683, as amended;
2. That the House recede from its position on House Bill No. 683;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 683, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bob Dixon

/s/ Sally A. Faith

/s/ Tim Jones

/s/ Ed Schieffer

/s/ Tim Meadows

FOR THE SENATE:

/s/ Bill Stouffer

/s/ John E. Griesheimer

/s/ Delbert Scott

/s/ Rita Heard Days

/s/ Ryan McKenna

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

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Justus	Lager	Lembke	Mayer
McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senators

Bray Griesheimer—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **CCS** for **SS** for **SCS** for **HB 683**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 683

An Act to repeal sections 21.795, 32.063, 136.055, 142.800, 144.054, 144.060, 144.070, 226.030, 227.600, 227.615, 227.630, 260.750, 301.010, 301.032, 301.131, 301.140, 301.150, 301.280, 301.290, 301.310, 301.420, 301.440, 301.562, 301.716, 302.302, 302.341, 302.545, 302.700, 302.735, 302.755, 302.775, 304.155, 304.170, 304.260, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.350, 307.365, 307.375, 307.390, 307.400, 311.326, 387.040, 476.385, 556.021, 565.081, 565.082, and 565.083, RSMo, and to enact in lieu thereof seventy-seven new sections relating to transportation, with penalty provisions, an emergency clause for certain sections, and effective dates for certain sections.

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

YEAS—Senators

Barnitz	Callahan	Champion	Clemens	Crowell	Cunningham	Days	Engler
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Goodman	Green	Griesheimer	Justus	Lager	Lembke	Mayer	McKenna
Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

## NAYS—Senators

Bartle	Bray	Purgason—3
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Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Barnitz	Callahan	Champion	Clemens	Crowell	Cunningham	Days	Dempsey
Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke	Mayer
McKenna	Nodler	Pearce	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

## NAYS—Senators

Bartle	Purgason	Ridgeway—3
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Absent—Senator Bray—1

Absent with leave—Senators—None

Vacancies—None

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

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

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

**HOUSE BILLS ON THIRD READING****HCS for HB 152**, entitled:

An Act to repeal sections 650.052 and 650.055, RSMo, and to enact in lieu thereof two new sections relating to the DNA profiling system, with a penalty provision.

Was taken up by Senator Bartle.

At the request of Senator Bartle, **HCS for HB 152** was placed on the Informal Calendar.**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 refuses to adopt **SCS** for **HB 745**, as amended, 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 House refuses to recede from its position on **HCS** for **SCS** for **SB 216**, as amended, and request the Senate grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SBs 36** and **112** and grants the Senate a conference thereon.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Shields appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SBs 36** and **112**: Senators Goodman, Crowell, Schmitt, Barnitz and Shoemyer.

### PRIVILEGED MOTIONS

Senator Clemens moved that the Senate refuse to recede from its position on **SCS** for **HB 745**, as amended, and grant the House a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

**HB 678**, introduced by Representative Wasson, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Silver Star Families of America Day in Missouri.

Was called from the Consent Calendar and taken up by Senator Goodman.

On motion of Senator Goodman, **HB 678** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### **PRIVILEGED MOTIONS**

Senator Scott moved that the Senate grant the House a conference on **HCS** for **SCS** for **SB 216**, as amended, which motion prevailed.

President Pro Tem Shields assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HB 15**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Shields appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 745**, as amended: Senators Clemens, Stouffer, Mayer, Shoemyer and Barnitz.

President Pro Tem Shields appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 216**, as amended: Senators Scott, Cunningham, Crowell, Justus and Barnitz.

### **CONCURRENT RESOLUTIONS**

Senator Cunningham moved that **HCS** for **HCR 16** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

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

#### **SENATE AMENDMENT NO. 1**

Amend House Committee Substitute for House Concurrent Resolution No. 16, as it appears on Page 455 of the Senate Journal for Tuesday, March 3, 2009, Line 45 of said journal page, by inserting after the word "Missouri" the following: "or the State of Kansas".

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

Senator Cunningham moved that **HCS** for **HCR 16**, as amended, be adopted.

At the request of Senator Cunningham, the above motion was withdrawn which placed the concurrent resolution back on the Calendar.

On motion of Senator Engler, the Senate recessed until 2:30 p.m.

**RECESS**

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

**RESOLUTIONS**

Senator Engler offered Senate Resolution No. 1141, regarding John G. Bridges, Farmington, which was adopted.

Senator Pearce offered Senate Resolution No. 1142, regarding Earl David Coonrod, Belton, which was adopted.

Senator Engler offered Senate Resolution No. 1143, regarding Alycia Anne Yount, which was adopted.

Senator Engler offered Senate Resolution No. 1144, regarding Nathan Foust, St. Peters, which was adopted.

Senator Vogel offered Senate Resolution No. 1145, regarding Sara Irwin, which was adopted.

Senator Vogel offered Senate Resolution No. 1146, regarding Cassandra Brown, which was adopted.

Senator Vogel offered Senate Resolution No. 1147, regarding Kaitlynn Baker, which was adopted.

Senator Vogel offered Senate Resolution No. 1148, regarding Amanda Woods, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Cunningham moved that **HCS** for **HCR 16**, as amended, be taken up for adoption, which motion prevailed.

On motion of Senator Cunningham, **HCS** for **HCR 16**, as amended, was adopted by the following vote:

## YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Crowell	Cunningham	Dempsey	Engler
Goodman	Green	Griesheimer	Justus	Lager	Nodler	Pearce	Purgason
Ridgeway	Rupp	Schaefer	Schmitt	Shields	Smith	Stouffer	Vogel
Wilson	Wright-Jones—26						

## NAYS—Senator Bray—1

## Absent—Senators

Clemens	Days	Lembke	Mayer	McKenna	Scott	Shoemyer—7
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## Absent with leave—Senators—None

## Vacancies—None

**HOUSE BILLS ON THIRD READING**

At the request of Senator Bartle, **HCS** for **HB 62**, with **SCS**, was placed on the Informal Calendar.

**HB 734**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 228**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 883**, entitled:

An Act to repeal sections 30.260, 30.270, 30.750, 30.753, 30.756, 30.758, 30.760, and 30.765, RSMo, and to enact in lieu thereof eight new sections relating to the state treasurer, with penalty provisions.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HCS for HB 883** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Barnitz	Bray	Champion	Crowell	Cunningham	Days	Dempsey	Engler
Goodman	Green	Griesheimer	Justus	Lager	Lembke	Mayer	McKenna
Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

## NAYS—Senators—None

## Absent—Senators

Bartle	Callahan	Clemens	Scott—4
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## Absent with leave—Senators—None

## Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 381**, entitled:

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee agent offices.

Was taken up by Senator Green.

At the request of Senator Green, **HCS for HB 381** was placed on the Informal Calendar.

**HB 170**, with **SCS**, introduced by Representative Cox, et al, entitled:

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to business premises safety.

Was taken up by Senator Stouffer.

**SCS for HB 170**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 170

An Act to amend chapter 537, RSMo, by adding thereto two new sections relating to business premises

safety.

Was taken up.

Senator Stouffer moved that **SCS** for **HB 170** be adopted.

Senator Stouffer offered **SS** for **SCS** for **HB 170**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 170

An Act to repeal section 571.101, RSMo, and to enact in lieu thereof four new sections relating to personal safety, with a penalty provision.

Senator Stouffer moved that **SS** for **SCS** for **HB 170** be adopted.

At the request of Senator Stouffer, **HB 170**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Stouffer assumed the Chair.

**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 Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS** for **SB 435**. Representatives: Brown (149), Ruestman, McGhee, Quinn and Todd.

**HOUSE BILLS ON THIRD READING**

Senator Dempsey moved that **HCS** for **HB 580**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 580** was again taken up.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 580, Page 4, Section 287.243, Lines 29-47, by striking all of said lines and inserting in lieu thereof the following:

**“(5) “Killed in the line of duty”, when a person defined in this section loses one's life as a result of an injury received in the active performance of his or her duties within the ordinary scope of his or her respective profession while the individual is on duty and but for the individual's performance, death would have not occurred.”.**

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

Senator Dempsey moved that **SCS** for **HCS** for **HB 580**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **HCS** for **HB 580**, as amended, was read the 3rd time and passed by the following vote:

## YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Goodman      Scott—2

## Absent with leave—Senators—None

## 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	Cunningham
Days	Dempsey	Engler	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

## NAYS—Senators—None

## Absent—Senators

Goodman      Scott—2

## Absent with leave—Senators—None

## Vacancies—None

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

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

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

### PRIVILEGED MOTIONS

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 427**, 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. 427

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute

for House Bill No. 427, with Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, and Senate Amendment No. 5, 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. 427, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 427;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 427, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ David Day

/s/ Scott Largent

/s/ Barney Fisher (125)

/s/ Charlie Norr

/s/ Jason Kander

FOR THE SENATE:

/s/ David Pearce

/s/ Jason Crowell

/s/ Jane Cunningham

/s/ Frank A. Barnitz

/s/ Wes Shoemyer

Senator Pearce 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	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senator Green—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, **CCS** for **SCS** for **HCS** for **HB 427**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 427

An Act to repeal sections 41.150, 42.007, 173.234, 301.451, and 452.412, RSMo, and to enact in lieu thereof twelve new sections relating to members of the military and their families.

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
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Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senator Green—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Purgason, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 91** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 91

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 91, 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 Bill No. 91;
2. That the House recede from its position on House Bill No. 91;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 91, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Darrell Pollock  
/s/ David Day  
/s/ Ryan Silvey  
/s/ Joseph Fallert, Jr.  
/s/ Jeanne Kirkton

FOR THE SENATE:

/s/ Chuck Purgason  
/s/ Jason Crowell  
/s/ John E. Griesheimer  
/s/ Timothy P. Green  
/s/ Frank A. Barnitz

Senator Purgason 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	Cunningham
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Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Purgason, **CCS** for **SCS** for **HB 91**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 91

An Act to amend chapter 227, RSMo, by adding thereto seven new sections relating to the designation of state highways and bridges.

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 395**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 395

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 395, with Senate Amendment No. 1 and Senate Amendment No. 2, 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. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 395, as amended;
2. That the House recede from its position on House Bill No. 395;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 395, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bob Nance

/s/ Kevin Wilson

/s/ Mark Bruns

/s/ Jeff Roorda

/s/ Ed Wildberger

FOR THE SENATE:

/s/ Bill Stouffer

/s/ Eric S. Schmitt

/s/ Norma Champion

/s/ Frank A. Barnitz

/s/ Wes Shoemyer

Senator Stouffer 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	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, **CCS** for **SS** for **SCS** for **HB 395**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 395

An Act to repeal sections 198.074, 198.075, 198.096, 198.525, 198.527, 208.437, 208.480, 208.819,

338.535, 338.550, and 633.401, RSMo, and to enact in lieu thereof fifteen new sections relating to health care services, with an emergency clause.

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

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	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

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

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

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

### HOUSE BILLS ON THIRD READING

Senator Bartle moved that **HCS** for **HB 152** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Bartle offered **SS** for **HCS** for **HB 152**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 152

An Act to repeal sections 650.050, 650.052, and 650.055, RSMo, and to enact in lieu thereof three new sections relating to the DNA profiling system, with penalty provisions.

Senator Bartle moved that **SS** for **HCS** for **HB 152** be adopted, which motion prevailed.

On motion of Senator Bartle, **SS** for **HCS** for **HB 152** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Dempsey	Engler
Goodman	Griesheimer	Justus	Lager	Lembke	Mayer	McKenna	Nodler
Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

NAYS—Senators

Barnitz            Bray—2

Absent—Senators

Days            Green—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 537**, introduced by Representative Dixon, et al, entitled:

An Act to authorize the conveyance of property owned by the state in the city of St. Louis to the state highways and transportation commission.

Was called from the Consent Calendar and taken up by Senator Wright-Jones.

On motion of Senator Wright-Jones, **HB 537** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

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

**HB 83**, with **SCS**, introduced by Representative Wood, entitled:

An Act to repeal sections 407.1240 and 407.1249, RSMo, and to enact in lieu thereof two new sections relating to travel clubs.

Was called from the Consent Calendar and taken up by Senator Goodman.

**SCS** for **HB 83**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 83

An Act to repeal sections 407.1240, 407.1243, and 407.1249, RSMo, and to enact in lieu thereof three new sections relating to travel clubs.

Was taken up.

Senator Goodman moved that **SCS** for **HB 83** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HB 83** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 124**, entitled:

An Act to repeal section 21.800, RSMo, and to enact in lieu thereof one new section relating to the joint committee on terrorism, bioterrorism, and homeland security.

Was called from the Consent Calendar and taken up by Senator McKenna.

On motion of Senator McKenna, **HCS for HB 124** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senator Bray—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Engler 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 Speaker has appointed the following conference committee to act with a like committee from the Senate on **HCS for SCS for SB 216**, as amended. Representatives: Cunningham, Wells, Largent, Grill and Liese.

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 36 and 112**. Representatives: Wasson, Bruns, Hobbs, Roorda and Morris.

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Shields appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 745**, as amended: Senators Clemens, Mayer, Purgason, Callahan and Days.

**RESOLUTIONS**

Senator Wright-Jones offered Senate Resolution No. 1149, regarding Christine Krumsieg, Saint Louis, which was adopted.

On motion of Senator Engler, the Senate recessed until 7:00 p.m.

**RECESS**

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

**HOUSE BILLS ON THIRD READING**

**HB 282**, introduced by Representative Stevenson, et al, entitled:

An Act to authorize the conveyance of property owned by the state in Jasper County to Missouri Southern State University.

Was called from the Consent Calendar and taken up by Senator Nodler.

On motion of Senator Nodler, **HB 282** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Crowell	Cunningham	Dempsey
Engler	Goodman	Green	Justus	Lager	Lembke	Mayer	Nodler
Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Clemens	Days	Griesheimer	McKenna—4
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 652**, introduced by Representative Pratt, entitled:

An Act to repeal section 1.020, RSMo, and to enact in lieu thereof one new section relating to the definition of certified mail.

Was called from the Consent Calendar and taken up by Senator Bartle.

Senator Bartle requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

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

SENATE AMENDMENT NO. 1

Amend House Bill No. 652, Page 1, Section 1.020, Line 3, by inserting immediately after the word “includes” the following: “**certified mail carried by the United States Postal Service, or**”; and further amend line 5, by inserting immediately after “location” the following: “**and provides record of the signature of the recipient**”.

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

On motion of Senator Bartle, **HB 652**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Griesheimer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 698**, introduced by Representative Zimmerman, et al, entitled:

An Act to repeal section 407.485, RSMo, and to enact in lieu thereof one new section relating to donation receptacles.

Was called from the Consent Calendar and taken up by Senator Schmitt.

On motion of Senator Schmitt, **HB 698** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer

Schmitt          Scott          Shields          Shoemyer          Smith          Stouffer          Vogel          Wilson—32

NAYS—Senator Wright-Jones—1

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 895**, entitled:

An Act to authorize the conveyance of an easement for right of access over property owned by the state in Macon County.

Was called from the Consent Calendar and taken up by Senator Stouffer.

On motion of Senator Stouffer, **HCS for HB 895** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 918**, introduced by Representative Kelly, entitled:

An Act to authorize the conveyance of certain state property, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HB 918** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

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	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

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

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

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

**HB 919**, introduced by Representative Ruestman, et al, entitled:

An Act to repeal section 376.421, RSMo, and to enact in lieu thereof one new section relating to group health insurance.

Was called from the Consent Calendar and taken up by Senator Goodman.

On motion of Senator Goodman, **HB 919** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Griesheimer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 525**, entitled:

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to autism as addressed by the division of developmental disabilities.

Was called from the Consent Calendar and taken up by Senator Schmitt.

On motion of Senator Schmitt, **HCS for HB 525** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson  
Wright-Jones—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 231**, entitled:

An Act to repeal section 376.428, RSMo, and to enact in lieu thereof one new section relating to continuation of group health insurance after termination of employment, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Rupp.

On motion of Senator Rupp, **HCS for HB 231** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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

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

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

**HB 826**, introduced by Representative Brown (149), et al, entitled:

An Act to repeal sections 630.110, 632.489, and 632.495, RSMo, and to enact in lieu thereof three new sections relating to sexually violent predators.

Was called from the Consent Calendar and taken up by Senator Lembke.

On motion of Senator Lembke, **HB 826** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 685**, entitled:

An Act to repeal section 43.200, RSMo, and to enact in lieu thereof one new section relating to serving search warrants for certain traffic-related offenses.

Was called from the Consent Calendar and taken up by Senator Goodman.

On motion of Senator Goodman, **HCS for HB 685** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 811**, introduced by Representative Wasson, entitled:

An Act to repeal section 324.210, RSMo, and to enact in lieu thereof one new section relating to dieticians.

Was called from the Consent Calendar and taken up by Senator Scott.

On motion of Senator Scott, **HB 811** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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 Engler moved that motion lay on the table, which motion prevailed.

**HCS for HB 273**, entitled:

An Act to repeal section 473.543, RSMo, and to enact in lieu thereof one new section relating to supportive documentation for disbursements in excess of seventy-five dollars.

Was called from the Consent Calendar and taken up by Senator Scott.

On motion of Senator Scott, **HCS for HB 273** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager

Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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 Engler moved that motion lay on the table, which motion prevailed.

**HCS for HB 485**, entitled:

An Act to repeal section 44.227, RSMo, and to enact in lieu thereof one new section relating to the seismic safety commission.

Was called from the Consent Calendar and taken up by Senator Mayer.

On motion of Senator Mayer, **HCS for HB 485** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 859**, introduced by Representative Dieckhaus, et al, entitled:

An Act to repeal section 67.280, RSMo, and to enact in lieu thereof one new section relating to community codes.

Was called from the Consent Calendar and taken up by Senator Griesheimer.

On motion of Senator Griesheimer, **HB 859** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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 Engler moved that motion lay on the table, which motion prevailed.

**HB 283**, with **SCS**, introduced by Representative Wood, entitled:

An Act to repeal section 393.829, RSMo, and to enact in lieu thereof one new section relating to nonprofit sewer companies.

Was called from the Consent Calendar and taken up by Senator Goodman.

**SCS** for **HB 283**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 283

An Act to repeal section 393.829, RSMo, and to enact in lieu thereof one new section relating to nonprofit sewer districts.

Was taken up.

Senator Goodman moved that **SCS** for **HB 283** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HB 283** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke

Mayer	McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green	Purgason—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 289**, introduced by Representative Wallace, entitled:

An Act to repeal sections 162.961 and 162.963, RSMo, and to enact in lieu thereof two new sections relating to special education due process hearings.

Was called from the Consent Calendar and taken up by Senator Mayer.

On motion of Senator Mayer, **HB 289** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Mayer moved that **HB 373**, with **SCS**, be called from the Consent Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HB 373** was again taken up.

Senator Mayer moved that **SCS** for **HB 373** be adopted, which motion failed.

On motion of Senator Mayer, **HB 373** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Schaefer	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senator Rupp—1

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Shields assumed the Chair.

**HB 490**, introduced by Representative Schad, et al, entitled:

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to the A+ Schools Program.

Was called from the Consent Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 490** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

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

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

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

**HB 682**, introduced by Representative Swinger, et al, entitled:

An Act to repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to loss of attendance due to inclement weather, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Mayer.

Senator Griesheimer assumed the Chair.

On motion of Senator Mayer, **HB 682** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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

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

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

Senator Green moved that **HCS** for **HB 381** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Green offered **SS** for **HCS** for **HB 381**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 381

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee agent offices.

Senator Green moved that **SS** for **HCS** for **HB 381** be adopted, which motion prevailed.

On motion of Senator Green, **SS** for **HCS** for **HB 381** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Callahan—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 734**, with **SCS**, introduced by Representative Ruzicka, et al, entitled:

An Act to repeal section 644.054, RSMo, and to enact in lieu thereof one new section relating to water pollution permit fees.

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

**SCS** for **HB 734**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 734

An Act to repeal sections 644.036 and 644.054, RSMo, and to enact in lieu thereof two new sections relating to the Missouri clean water law.

Was taken up.

Senator Lager moved that **SCS** for **HB 734** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 734**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 734

An Act to repeal sections 644.036, 644.054, 701.500, 701.503, and 701.506, RSMo, and to enact in lieu thereof six new sections relating to programs administered through the department of natural resources.

Senator Lager moved that **SS** for **SCS** for **HB 734** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 734, Page 1, In the Title, Lines 4 and 5 of said page, by striking the following: “programs administered through the department of”; and

Further amend said bill, page 9, section 701.506, line 5 of said page, by inserting after all of said line the following:

**“Section 1. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Missouri’s Energy Future”, which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house. The committee shall select either a chairman or co-chairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.**

**2. The committee shall examine Missouri’s present and future energy needs to determine the best strategy to ensure a plentiful, affordable and clean supply of electricity that will meet the needs of the people and businesses of Missouri for the next twenty five years and ensure that Missourians continue to benefit from low rates for residential, commercial, and industrial energy consumers.**

**3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of economic development, department of natural resources, and the public service commission.**

**4. The joint committee shall prepare a final report, together with its recommendations for any**

**legislative action deemed necessary, for submission to the general assembly by December 31, 2009, at which time the joint committee shall be dissolved.**

**5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.**

Section B. Because of the critical need for reliable and affordable energy, section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

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

Senator Stouffer offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 734, Page 1, In the Title, Line 4 of the title, by striking said line and inserting in lieu thereof the following: “sections relating to the administration of programs”; and further amend line 5 of the title, by striking all of said line and inserting in lieu thereof the following: “pertaining to natural resources”; and

Further amend said bill, Page 1, Section A, Line 4 of said page, by inserting immediately after said line the following:

“266.331. Every distributor shall, within thirty days after each six-months’ period ending June thirtieth and December thirty-first, file with the director on forms supplied by him, a sworn certificate setting forth the information required by the director by rule. At the time of filing said certificate, each distributor **of fertilizer, excluding manipulated animal or vegetable manure**, shall pay to the director the fee prescribed by the director by rule, which fee shall not exceed one dollar per ton and one dollar ten cents per metric ton; except that, sales to fertilizer manufacturers or exchanges between them are hereby exempted. **Each distributor of fertilizer consisting of manipulated animal or vegetable manure shall pay to the director a fee paid for each ton of manure as prescribed by the director by rule, which fee shall not exceed two cents for each percent nitrogen for manure containing less than five percent nitrogen; or which fee shall not exceed four cents for each percent nitrogen for manure containing at least five but less than ten percent nitrogen; or which fee shall not exceed six cents for each percent nitrogen for manure containing ten or more percent nitrogen.** In the event that the director has not prescribed a fee under this section, each distributor required to pay a fee under this section shall pay a fee of one and one-half cents for each one hundred pounds of fertilizer sold by him during the period covered by the certificate filed under this section. The fees so paid to the director shall be used for defraying the expenses in administering sections 266.291 to 266.351 and the rules promulgated under sections 266.291 to 266.351, and for practical and scientific experiments by the Missouri agricultural experiment station in the value and proper use of fertilizers. Such fees may also be used to support such related research and methodology, publications, and educational programs extending the results of the fertilizer experiments as may be of practical use to the farmers of this state.”; and

Further amend the title and enacting clause accordingly.

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

Senator Bray offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 734, Page 1, In the Title, Lines 4 and 5 of said page, by striking the following: “programs administered through the department of”; and

Further amend said bill and page, section A, line 4 of said page, by inserting after all of said line the following:

**“8.305. 1. Any appliance purchased with state moneys or a portion of state moneys shall be an appliance that has earned the Energy Star under the Energy Star program co-sponsored by the United States Department of Energy and the United States Environmental Protection Agency. For purposes of this section, the term “appliance” shall have the same meaning as in section 144.526, RSMo.**

**2. The commissioner of the office of administration may exempt any appliance from the requirements of subsection 1 of this section when the cost of compliance is expected to exceed the projected energy cost savings gained.**

**3. The provisions of this section shall expire on August 28, 2011.**

**8.824. 1. Any state building constructed or substantially renovated after August 28, 2009, shall achieve either:**

**(1) The silver-level certification under the U.S. Green Building Council’s Leadership in Energy and Environmental Design program; or**

**(2) At least a three globes rating under the green globes design environmental building assessment.**

**In cases where the requirements of this section conflict with any other requirement for state buildings under this chapter, the more stringent requirement shall apply.**

**2. The commissioner of the office of administration may exempt any building from the requirements of subsection 1 of this section:**

**(1) When compliance may compromise the safety of the building or any of its occupants; or**

**(2) When the cost of compliance is expected to exceed the projected energy cost savings gained.**

**3. The provisions of subsection 1 of this section shall not apply to any building owned or occupied by a public institution of higher education.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Lager moved that SS for SCS for HB 734, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, SS for SCS for HB 734, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke

Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senator Barnitz—1

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer	Schmitt
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—31	

NAYS—Senator Barnitz—1

Absent—Senators

Ridgeway      Scott—2

Absent with leave—Senators—None

Vacancies—None

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

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

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

**HCS for HB 228, with SCS, entitled:**

An Act to repeal sections 116.080, 116.090, and 116.332, RSMo, and to enact in lieu thereof four new sections relating to petition circulators, with penalty provisions.

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

**SCS for HCS for HB 228, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 228

An Act to repeal sections 116.010, 116.020, 116.050, 116.060, 116.080, 116.090, 116.100, 116.120, 116.130, 116.175, 116.180, 116.190, and 116.332, RSMo, and to enact in lieu thereof fourteen new sections relating to initiative and referendum petitions, with penalty provisions.

Was taken up.

Senator Lembke moved that **SCS** for **HCS** for **HB 228** be adopted.

Senator Lembke offered **SS** for **SCS** for **HCS** for **HB 228**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 228

An Act to repeal sections 116.010, 116.020, 116.050, 116.060, 116.080, 116.090, 116.100, 116.120, 116.130, 116.175, 116.180, 116.190, and 116.332, RSMo, and to enact in lieu thereof thirteen new sections relating to initiative and referendum petitions, with penalty provisions.

Senator Lembke moved that **SS** for **SCS** for **HCS** for **HB 228** be adopted.

Senator Pearce assumed the Chair.

Senator Bray offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 228, Page 4, Section 116.080, Line 26 of said page, by inserting immediately after “2.” the following: **“No person or organization shall compensate or offer to compensate any person, nor shall any person or organization receive compensation or agree to receive compensation, for collecting signatures on an initiative or referendum petition if such compensation is based on the number of signatures obtained. This subsection shall not be construed to prohibit compensation for collection of signatures on an initiative or referendum petition that is not based on the number of signatures obtained.**

**3.”**; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 5, line 25 of said page, by inserting immediately after the word “FORGERY” the following: **“, AND THAT I HAVE NOT ACCEPTED AND WILL NOT ACCEPT COMPENSATION FOR OBTAINING SIGNATURES BASED ON THE NUMBER OF SIGNATURES I OBTAIN”**; and

Further amend said bill, page 6, section 116.090, line 16 of said page, by striking the word “maliciously” and inserting in lieu thereof the following: **“knowingly”**; and

Further amend said bill, page 18, section 116.332, line 6 of said page, by inserting at the end of said line the following: **“The person submitting the sample sheet shall also deposit with the secretary of state five hundred dollars for each petition submitted. Upon the certification of the proposed measure as sufficient for the general election ballot under section 116.150, the deposit shall be immediately refunded to such person. If such proposed measure is not certified for the general election ballot under section 116.150, the deposit shall be forfeited and shall be deposited into the state’s general revenue fund. A person submitting a petition may withdraw and resubmit a petition without paying an additional deposit if the petition is withdrawn before the secretary of state’s rejection or approval as to form under this section.”**.

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

At the request of Senator Lembke, **HCS** for **HB 228**, with **SCS** and **SS** for **SCS** (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 Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HB 745**, as amended. Representatives: Loehner, Wright, Schad, Witte and Harris.

### **RESOLUTIONS**

Senator Days offered Senate Resolution No. 1150, regarding Cassandra Davis, Saint Louis, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Ridgeway introduced to the Senate, Daniel Williams, Smithville; and Heather Noland, Warrensburg.

On motion of Senator Engler, the Senate adjourned under the rules.

### **SENATE CALENDAR**

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SEVENTIETH DAY—WEDNESDAY, MAY 13, 2009

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### **FORMAL CALENDAR**

#### **THIRD READING OF SENATE BILLS**

SS for SCS for SB 558-Mayer  
(In Fiscal Oversight)

#### **SENATE BILLS FOR PERFECTION**

SB 546-Schmitt, et al  
SB 545-Schmitt

SB 222-Goodman, with SCS  
SB 391-Schaefer, with SCS

#### **HOUSE BILLS ON THIRD READING**

- |  |  |
|--|--|
| 1. HB 65-Wilson (119), et al (Pearce)<br>(In Fiscal Oversight) | 3. HB 86-Sutherland (Lager)<br>(In Fiscal Oversight)                 |
| 2. HCS for HBs 320, 39 & 662 (Mayer)<br>(In Fiscal Oversight)  | 4. HB 30-Brandom, et al, with SCS<br>(Goodman) (In Fiscal Oversight) |

- |  |   |
|--|---|
| 5. HCS for HB 681 (Pearce)<br>(In Fiscal Oversight)                  | 11. HB 802-Tracy, et al (Crowell)                         |
| 6. HCS for HBs 187 & 235, with SCS<br>(Bartle) (In Fiscal Oversight) | 12. HCS for HB 96, with SCS (Mayer)                       |
| 7. HB 116-Hoskins (Cunningham)                                       | 13. HCS for HB 390, with SCS (Rupp)                       |
| 8. HCS for HB 250, with SCS (Scott)                                  | 14. HCS for HB 1075, with SCS (Griesheimer)               |
| 9. HCS for HB 361 (Purgason)   | 15. HJR 11-McGhee, et al (Scott)<br>(In Fiscal Oversight) |
| 10. HCS for HB 795, with SCS (Purgason)<br>(In Fiscal Oversight)     | 16. HJR 37-Cunningham (Goodman)                           |
|  | 17. HJR 15-Chappelle-Nadal, et al                         |

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

- |  |   |
|--|---|
| SB 7-Griesheimer, with SS (pending)  | SB 254-Barnitz, with SS (pending)   |
| SB 18-Bray, et al, with SCS & SS for SCS<br>(pending)  | SBs 261, 159, 180 & 181-Bartle and<br>Goodman, with SCS & SS#3 for SCS<br>(pending) |
| SB 29-Stouffer   | SB 264-Mayer  |
| SBs 45, 212, 136, 278, 279, 285 &<br>288-Pearce and Smith, with SCS &<br>SS#3 for SCS (pending)      | SB 267-Mayer and Green, with SA 1<br>(pending)                                      |
| SB 57-Stouffer, with SCS & SA 1 (pending)  | SB 284-Lembke, et al, with SA 1 (pending)   |
| SB 72-Stouffer, with SCS   | SB 299-Griesheimer, with SCS & SS for<br>SCS (pending)                              |
| SB 94-Justus, et al, with SCS & SS for<br>SCS (pending)  | SB 321-Days, et al, with SCS (pending)  |
| SB 174-Griesheimer and Goodman, with<br>SCS, SS#2 for SCS & SA 2 (pending)                           | SB 364-Clemens and Schaefer   |
| SCS for SB 189-Shields   | SB 409-Stouffer, with SCS (pending)   |
| SBs 223 & 226-Goodman and Nodler, with<br>SCS & SA 1 (pending)                                       | SB 477-Wright-Jones, with SS (pending)  |
| SB 228-Scott, with SCS, SS for SCS, SA 12,<br>SSA 1 for SA 12 & SA 1 to SSA 1<br>for SA 12 (pending) | SB 527-Nodler and Bray  |
| SB 236-Lembke  | SB 555-Lager, with SCS, SS for SCS &<br>SA 2 (pending)                              |
|  | SB 569-Lembke, with SCS   |
|  | SB 572-Dempsey and Justus   |
|  | SJR 12-Scott, with SCS (pending)  |

#### HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| HCS for HBs 46 & 434 (Mayer)                          | HB 170-Cox, et al, with SCS & SS for SCS<br>(pending) (Stouffer) |
| HCS for HB 62, with SCS (Bartle)                      | HCS for HB 191, with SCS & SS for SCS<br>(pending) (Griesheimer) |
| HCS for HBs 128 & 340, with SA 1<br>(pending) (Scott) |  |

HCS for HB 228, with SCS & SS for SCS  
(pending) (Lembke)  
HB 229-Ervin, with SCS, SS for SCS, SA 8,  
SSA 1 for SA 8 & SA 1 to SSA 1  
for SA 8 (pending) (Dempsey)  
HB 258-Jones (89), et al, with SCS &  
SA 1 (pending) (Rupp)  
HB 287-Day, et al, with SS (pending)  
(Mayer)  
HCS for HB 481 (Lembke)  
HB 488-Schad, et al, with SCS (pending)  
(Pearce)

HCS for HB 495, with SCS, SS for SCS, SA 1,  
SSA 2 for SA 1 & SA 1 to SSA 2  
for SA 1 (pending) (Griesheimer)  
SS for SCS for HCS for HB 577 (Rupp)  
(In Fiscal Oversight)  
HCS for HBs 658 & 706 (Clemens)  
HB 659-Dusenberg, et al, with SCS & SA 1  
(pending) (Bartle)  
HCS for HJR 10, with SS (pending)  
(Lembke)  
HCS for HJR 32, with SCA 1 & SA 1 to  
SCA 1 (pending) (Schaefer)

### CONSENT CALENDAR

#### House Bills

Reported 4/15

HCS for HBs 234 & 493 (Shoemyer)

### SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 44-Pearce, with HCS  
SCS for SB 71-Stouffer, with HCS, as amended  
SB 215-Shields, with HCS, as amended  
SB 263-Mayer, with HCS

SB 377-Rupp, with HCS, as amended  
SB 526-Clemens, with HA 1, HA 2, HA 3 &  
HA 4  
SCS for SB 563-Smith, with HCS

### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

#### In Conference

SCS for SBs 36 & 112-Goodman, with HCS  
SB 171-Griesheimer, with HCS, as amended  
SCS for SB 216-Scott, with HCS, as amended  
SB 435-Lembke, with HCS  
SB 464-Stouffer, with HCS, as amended  
HCS for HB 154, with SS, as amended (Shields)

HCS for HB 246, with SA 1 (Purgason)  
HCS for HB 376-Hobbs, et al, with SS for  
SCS, as amended (Griesheimer)  
HB 745-Loehner, et al, with SCS, as  
amended (Clemens)

RESOLUTIONS

Reported from Committee

SR 141-Engler, with point of order (pending)	SCR 14-Schmitt
SCR 7-Pearce	SCR 21-Clemens
SR 207-Lembke and Smith, with SCS & SS for SCS (pending)	SCR 10-Rupp
SCR 11-Bartle, et al	SCR 18-Bartle and Rupp
	SCR 23-Schmitt
	HCS for HCR 4 (Lager)

✓