

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, APRIL 26, 2012

The Senate met pursuant to adjournment.

Senator Stouffer in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the Lord is righteous; he loves righteous deeds; the upright shall behold his face.” (Psalm 11:7)

We know, O Lord, that we are tired and that opens us up to say and do things we regret later; so help us do that which is righteous in Your sight and may our actions, deeds and words proclaim our faithfulness to Your teachings as we complete our work before us and return home to those we love. May we never give up on those You have given us to love, so help us do that which is right with them and for them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

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

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCC-TV were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 2008, regarding Candace L. Connell, Saint James, which was adopted.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 564**.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 6 and 8.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 564, Page 1, In the title, Lines 3 through 5, by deleting all said lines and inserting in lieu thereof the words, “to motor vehicles”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant’s immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers’ education program who has a valid driver’s license. An applicant for a temporary instruction permit shall successfully complete a vision test and a test of the applicant’s ability to understand highway signs which regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written permission by signing the application and in so signing, state they, or their designee as set forth in subsection 2 of this section, will provide a minimum of forty hours of behind-the-wheel driving instruction, including a minimum of ten hours of behind-the-wheel driving instruction that occurs during the nighttime hours falling between sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed pursuant to this subsection may include any time that the holder of an instruction permit has spent operating a motor vehicle in a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or by a qualified instructor of a private drivers’ education program. If the applicant for a permit is enrolled in a federal residential job training program, the instructor, as defined in subsection 5 of this section, is authorized to sign the application stating that the applicant will receive the behind-the-wheel driving instruction required by this section.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a

physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on August 28, 1998, are exhausted.

3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. In the event that the applicant for a temporary instruction permit described in subsection 1 of this section is a participant in a federal residential job training program, the permittee may operate a motor vehicle accompanied by a driver training instructor who holds a valid driver education endorsement issued by the department of elementary and secondary education and a valid driver's license.

6. A person at least fifteen years of age may operate a motor vehicle as part of a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program.

7. Beginning January 1, 2003, the director shall issue with every temporary instruction permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the director by regulation. Every applicant issued a temporary instruction permit and sticker on or after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever the holder of the instruction permit operates a motor vehicle during his or her temporary permit licensure period.

8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction permit issued under this section is lawfully present in the United States before accepting the application. The director shall not issue an instruction permit for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any permit issued under this section.

9. Notwithstanding subsection 1 of this section, if an applicant is issued a temporary instruction permit under the provisions of this section that includes a motorcycle endorsement, then such temporary instruction permit shall only entitle the applicant to operate a motor vehicle, motorcycle, or motortricycle for a period of six months and such applicant may only renew such permit two additional times, for a total maximum cumulative permit period of eighteen months pursuant to section 302.132.

10. The director may adopt rules and regulations necessary to carry out the provisions of this section.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit.

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and [persons under the age of sixteen] **such person** shall be subject to the following restrictions:

(1) [The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2)] The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise;
and

[(3)] **(2)** The operator shall not carry any passengers[; and

(4) The operator shall not travel over fifty miles from the operator's home address].

4. An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months. After such period the applicant shall complete the required written examinations to obtain a temporary motorcycle instruction permit or a temporary instruction permit with a motorcycle endorsement.”;
and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“Section B. The repeal and reenactment of sections 302.130 and 302.132 shall become effective May 1, 2013.”; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to Senate Bill No. 564, Page 1, Line 7, by inserting after all of said line the following:

“Further amend said section and line by inserting after all of said section and line the following:

“Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing “Douglas, Haun, and Heidemann, P.C.” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and”; and

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

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 564, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

“Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the “Independent Stave Company” as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.”; and

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

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

“to motor vehicle operation.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

“302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined in section 302.010**, of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant’s driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last

address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village **meets the criteria established in subsection 6 of this section and receives more than thirty-five percent of its annual general operating revenue from fines and court costs for [traffic] cited moving violations occurring on state highways, whether the violation is adjudicated finally as a moving or nonmoving violation,** all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. [The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.]

3. **The governing body of each city, town, or village that meets the criteria established in subsection 6 of this section shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general revenue for the year, in such summary form as the department of revenue shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general operating revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. The payment of excess revenues shall be disbursed as provided in subsection 2 of this section.** If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. [Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 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, 2009, shall be invalid and void.]

4. **The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536**

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, 2012, shall be invalid and void.

5. In the event a city, town, or village that meets the criteria established in subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount up to one thousand dollars. The department of revenue shall determine the amount of the penalty by taking into account the size of the entity, the seriousness of the offense, and whether the city, town, or village has violated the provisions of subsections 2 and 3 of this section previously. The director of revenue or his or her designated representative shall administer and enforce the provisions of this section and may develop, prescribe, and issue any forms, notices, or other written documents to enforce such authority and to ensure that every city, town, or village is in compliance with the provisions of subsections 2 and 3 of this section.

6. The provisions of subsections 2, 3, 4, and 5 of this section shall only apply to any city, town, or village with:

(1) Less than two million dollars in general revenue, excluding fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation; and

(2) Fines and court costs from cited moving violations, whether finally adjudicated as a moving or nonmoving violation, in excess of seventy thousand dollars.”; and

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

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the words, “to motor vehicles.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer’s rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term “tandem axle” shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet
between the extremes
of any group of two or
more consecutive axles,
measured to the nearest
foot, except where
indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500

27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four

thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in [subsection 9] **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway [65] **63**, [and] on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, **and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36.**

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.”; and

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

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, “to motor vehicles.”; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant’s driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual’s driving record **if the individual was not operating a commercial motor vehicle or a commercial driver’s license holder at the time of the offense.** The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver’s license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words “state highways” shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are

nonseverable and if any of the powers vested with the general assembly under chapter 536 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, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the “Uniform Commercial Driver’s License Act”.

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) “Alcohol”, any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) “Alcohol concentration”, the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **“CDLIS driver record”, the electronic record of the individual commercial driver’s status and history stored by the state of record as part of the Commercial Driver’s License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) **“CDLIS motor vehicle record (CDLIS MVR)”, a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;**

(5) “Commercial driver’s instruction permit”, a permit issued pursuant to section 302.720;

[(4)] (6) “Commercial driver’s license”, a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)] (7) **“Commercial driver’s license downgrade”, occurs when:**

(a) **A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;**

(b) **A driver changes the self-certification to intrastate only, if the driver qualifies under the state’s physical qualification requirements for intrastate only;**

(c) **A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or**

(d) **The state removes the commercial driver’s license privilege from the driver’s license;**

(8) “Commercial driver’s license information system (CDLIS)”, the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)] (9) “Commercial motor vehicle”, a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds

inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)] **(10)** “Controlled substance”, any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)] **(11)** “Conviction”, an unvacated adjudication of guilt, including pleas of guilt and nolo contendere, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person’s appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)] **(12)** “Director”, the director of revenue or his authorized representative;

[(10)] **(13)** “Disqualification”, any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver’s license;

(b) Any withdrawal of a person’s privileges to drive a commercial motor vehicle by a state, **Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)] **(14)** “Drive”, to drive, operate or be in physical control of a commercial motor vehicle;

[(12)] **(15)** “Driver”, any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver’s license;

(16) “Driver applicant”, an individual who applies to obtain, transfer, upgrade, or renew a commercial driver’s license in this state;

[(13)] **(17)** “Driving under the influence of alcohol”, the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)] **(18)** “Driving under the influence of a controlled substance”, the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)] **(19)** “Employer”, any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) “Endorsement”, an authorization on an individual’s commercial driver’s license permitting the individual to operate certain types of commercial motor vehicles;

[(16)] **(21)** “Farm vehicle”, a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision [(21)] **(27)** of this subsection;

[(17)] **(22)** “Fatality”, the death of a person as a result of a motor vehicle accident;

[(18)] **(23)** “Felony”, any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) “Foreign”, outside the fifty states of the United States and the District of Columbia;

[(19)] **(25)** “Gross combination weight rating” or “GCWR”, the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)] **(26)** “Gross vehicle weight rating” or “GVWR”, the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)] **(27)** “Hazardous materials”, any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)] **(28)** “Imminent hazard”, the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)] **(29)** “Issuance”, the initial licensure, license transfers, license renewals, and license upgrades;

(30) “Medical examiner”, a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) “Medical variance”, when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)] **(32)** “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks;

[(25)] **(33)** “Noncommercial motor vehicle”, a motor vehicle or combination of motor vehicles not defined by the term “commercial motor vehicle” in this section;

[(26)] **(34)** “Out of service”, a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)] **(35)** “Out-of-service order”, a declaration by [the Federal Highway Administration, or any] **an** authorized enforcement officer of a federal, state, [Commonwealth of Puerto Rico,] Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria;**

[(28)] **(36)** “School bus”, a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)] **(37)** “Secretary”, the Secretary of Transportation of the United States;

[(30)] **(38)** “Serious traffic violation”, driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or

revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)] (39) "State", a state[, territory or possession] of the United States[, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada];

[(32)] (40) "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 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, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of

revenue shall notify the revisor of statutes of such fact.”; and

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

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the words, “to transportation.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

“142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term “farmer” shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to

loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this

subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when

harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and

augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules

pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased

by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event[.];

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010.; and

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

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SCS** for **SB 625**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 625**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

An Act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 625** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	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 Kehoe, title to the bill was agreed to.

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

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

SB 893, introduced by Senator Kraus, entitled:

An Act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

Was taken up.

On motion of Senator Kraus, **SB 893** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	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 Kraus, title to the bill was agreed to.

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

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

SS for **SB 854**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 854

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

Was taken up.

On motion of Senator Mayer, **SS** for **SB 854** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	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 Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 803**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 803

An Act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

Was taken up.

On motion of Senator Rupp, **SS** for **SCS** for **SB 803** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

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 Rupp, title to the bill was agreed to.

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

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

SENATE BILLS FOR PERFECTION

At the request of Senator Cunningham, **SB 706**, with **SCS**, was placed on the Informal Calendar.

Senator Lembke moved that **SJR 51**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 51**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 51

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to nonpartisan selection of judges.

Was taken up.

Senator Lembke moved that **SCS** for **SJR 51** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25 (d), Line 21, by inserting after the word “appoint” the following: “, **with the advice and consent of the Senate**,”.

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

Senator Kehoe assumed the Chair.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 1, In the Title, Line 4, by striking the following: “nonpartisan selection of judges” and inserting in lieu thereof the following: “judges”; and

Further amend said bill and page, section A, line 3, by inserting immediately after all of said line the following:

“Section 1. The judicial power of the state shall be vested in a supreme court, a court of appeals [consisting of districts as prescribed by law], and circuit courts.

Section 6. 1. The number of associate circuit, circuit, and court of appeals judicial positions authorized in this state shall be established by law. Any supreme court order resulting in a total number of judicial positions greater than the number authorized by law shall be null and void. Until otherwise provided by supreme court order, each court of appeals district and each circuit shall have the number of judges as provided by law on the effective date of this section.

2. The supreme court may make permanent transfers of judicial positions from one circuit to another as the administration of justice requires, and shall establish rules and standards with respect thereto. When a vacancy occurs in a judicial position in a circuit, the supreme court may make a determination to transfer the vacant position to another circuit and such position shall be filled as provided by law. The position vacated shall cease to exist at the time the new position is filled.

3. The supreme court [may] shall make temporary transfers of judicial personnel from one court or district to another as the administration of justice requires, and [may] shall establish rules and standards with respect thereto. Any judge shall be eligible to sit temporarily on any court upon assignment by the supreme court or pursuant to supreme court rule.

4. As used in this section, the term “vacancy” shall mean the death, retirement, resignation, removal, impeachment or failure to be retained of a circuit or associate circuit judge.

Section 13. The court of appeals shall be organized into separate districts, the number, not less than three, geographical boundaries, and territorial jurisdiction of which shall be prescribed by law. Each district of the court of appeals shall be composed of such number of judges, not less than three, as may be provided by [law] **supreme court order**.

Section 15. 1. The state shall be divided into convenient circuits of contiguous counties. In each circuit there shall be at least one circuit judge. The circuits may be changed or abolished by law as public convenience and the administration of justice may require, but no judge shall be removed from office during his term by reason of alteration of the geographical boundaries of a circuit. Any circuit or associate circuit judge may temporarily sit in any other circuit at the request of a judge thereof. In circuits having more than one judge, the court may sit in general term or in divisions. The circuit judges of the circuit may make rules for the circuit not inconsistent with the rules of the supreme court.

2. Each circuit shall have such number of circuit judges as provided by [law] supreme court order, but not less than one.

3. The circuit and associate circuit judges in each circuit shall select by secret ballot a circuit judge from their number to serve as presiding judge. The presiding judge shall have general administrative authority over the court and its divisions.

4. Personnel to aid in the business of the circuit court shall be selected as provided by law or in accordance with a governmental charter of a political subdivision of this state. Where there is a separate probate division of the circuit court, the judge of the probate division shall, until otherwise provided by law, appoint a clerk and other nonjudicial personnel for the probate division.

Section 16. Each [county] **circuit** shall have such number of associate circuit judges as provided by [law] **supreme court order**. There shall be at least one [resident] associate circuit judge in each [county] **circuit**. [Associate circuit judges shall be selected or elected in each county]. In those circuits where the circuit judge is selected under section 25 of article 5 of the constitution the associate circuit judge shall be selected in the same manner. All other associate circuit judges shall be elected in the [county] **circuit** in which they are to serve.

Section 21. Judges of the supreme court and of the court of appeals shall have been citizens of the United States for at least fifteen years, and qualified voters of the state for nine years next preceding their selection. Such judges shall be at least thirty years of age. Except as provided by section 6, judges of the court of appeals shall be residents of the court of appeals district in which they serve. Circuit judges shall have been citizens of the United States for at least ten years, and qualified voters of this state three years next preceding their selection, and be not less than thirty years of age and residents of the circuit for at least one year. Associate circuit judges shall be qualified voters of this state [and], residents of the [county] **circuit for at least one year**, at least twenty-five years old, and have such other qualifications as may be provided by law. Every supreme, appellate, circuit, and associate circuit court judge shall be licensed to practice law in this state.”; and

Further amend the title and enacting clause accordingly.

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

Senator Stouffer assumed the Chair.

Senator Crowell offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25 (d), Line 27, by striking the word “2015” and inserting in lieu thereof the following: “**2016**”; and further amend line 28 by striking the word “2017” and inserting in lieu thereof the following: “**2019**”; and further amend line 29 by striking the word “four” and inserting in lieu thereof the word “**six**”.

Senator Crowell moved that the above amendment be adopted.

A quorum was established by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer	McKenna	Munzlinger
Nieves	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls Dixon Engler Green Lamping Parson Wright-Jones—7

Absent with leave—Senator Schaaf—1

Vacancies—None

SA 3 failed of adoption on a standing division vote.

Senator Justus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25(d), Line 12, by striking the word “seven” and inserting in lieu thereof “**six**”; and further amend line 21, by striking the word “four” and inserting in lieu thereof “**three**”; and further amend lines 22-23, by striking the following: “and one from the state at-large”; and further amend line 26, by striking the words “two members” and inserting in lieu thereof “**one member**”; and further amend line 27 by striking the word “terms” and inserting in lieu thereof “**a term**”.

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

Senator Keaveny offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 3, Section 25(d), Line 33, by inserting immediately after the word “chairman.” the following: “**Each voting member of the appellate judicial commission shall keep a record of all oral, written and electronic communications relating to the official business of the commission received while a member of such commission from any person not a member of the commission. Such records shall include the name, address, employer and date of such communication. All such records shall be a public record.**”.

Senator Keaveny moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lembke moved that **SCS** for **SJR 51** be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **SJR 51** was declared perfected and ordered printed.

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 **HCS** for **HB 1117**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto eight new sections relating to the Missouri and Midwest Rail Integration and Improvement Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1758**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to rights of persons with parental relationships.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1592**, entitled:

An Act to repeal sections 67.463, 67.469, and 67.548, RSMo, and to enact in lieu thereof seven new sections relating to sales tax and revenue bonds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1280**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1741** and **1543**, entitled:

An Act to repeal sections 50.1130, 50.1140, 104.1205, and 104.1215, RSMo, and to enact in lieu thereof four new sections relating to retirement benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1137**, entitled:

An Act to repeal sections 211.444, 453.065, and 453.080, RSMo, and to enact in lieu thereof six new sections relating to adoption.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2099**, entitled:

An Act to amend chapter 213, RSMo, by adding thereto one new section relating to the whistleblower's protection act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1818**, entitled:

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to residential property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1540**, entitled:

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1869**, entitled:

An Act to repeal sections 116.010, 116.080, 116.090, 116.120, 116.160, 116.170, 116.175, 116.180, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof thirteen new sections relating to initiative and referendum petitions, with penalty provisions and an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1865**, entitled:

An Act to repeal sections 67.463, 67.469, and 67.1305, RSMo, and to enact in lieu thereof eight new sections relating solely to due diligence given in consideration of economic development incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1254**, entitled:

An Act to repeal sections 135.305, 142.031, 178.530, 276.401, 302.286, 304.180, 537.345, 537.346, 569.140, 575.010, and 575.120, RSMo, and to enact in lieu thereof twenty-seven new sections relating to agriculture, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **SB 568**, as amended, and grants the senate a conference thereon.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 1042**, with **SCS**; **HB 1504**, with **SCS**; and **HCS** for **HB 1525**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1039**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1400**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1308**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1250**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1051**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868** and **HB 1878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 1527**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1403**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS for HB 1108**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS for HB 1094**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS for HB 1140**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Pearce, Chairman of the Committee on Education, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1192**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1135**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS No. 2 for HB 1462**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

Senator Dempsey, 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 **SCR 26**, 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 31**, 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 36**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON SECOND READING

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

HB 1534—General Laws.

HCS for HB 1717—Ways and Means and Fiscal Oversight.

HCS for HB 1661—Ways and Means and Fiscal Oversight.

HCS for HB 1211—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1826—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1860—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1342—Judiciary and Civil and Criminal Jurisprudence.

HB 1359—Education.

HCS for HB 1476—Jobs, Economic Development and Local Government.

HCS for HB 1364—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1367—General Laws.

HCS for HB 1521—Jobs, Economic Development and Local Government.

HCS for HB 1637—Ways and Means and Fiscal Oversight.

HCS No. 2 for HB 1323—Health, Mental Health, Seniors and Families.

HCS for HBs 1574 and 1097—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for HB 1274—General Laws.

HCS for HBs 1934 and 1654—General Laws.

HCS for HB 2019—Appropriations.

HJR 85—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for HB 1890—Small Business, Insurance and Industry.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS for SB 568**, as amended: Senators Parson, Stouffer, Richard, McKenna and Wright-Jones.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS for SJR 51**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 2009, regarding Thomas Edwin Willis, III, which was adopted.

Senator Stouffer offered Senate Resolution No. 2010, regarding Joshua Luke Porterfield, Boonville, which was adopted.

Senator Dixon offered Senate Resolution No. 2011, regarding PURE EARTH SOAPS, LLC, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 2012, regarding JMARK Business Solutions, Inc., Springfield, which was adopted.

Senators Dixon, Parson and Richard offered Senate Resolution No. 2013, regarding Superior Rents & Sales, Inc., Springfield, which was adopted.

Senator Pearce offered Senate Resolution No. 2014, regarding Ryan James Duffendack, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 2015, regarding Luevina Wallace, Holden, which was adopted.

Senator Engler offered Senate Resolution No. 2016, regarding Tarrole Milfeld, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Keaveny and himself, Senator Pearce introduced to the Senate, Annie Seal, St. Louis.

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Michael Silvers, his wife, Bonnie, their granddaughter, Jessica, and Ashley Reynolds and Collin Olsen, Lee's Summit.

Senator Kehoe introduced to the Senate, Jenny Flatt, University Extension, and members of the Missouri 4-H Judging Team: Will Moore, Tara Fountain, Shannon Yokley, University of Missouri, and Zach Moore, Maries County R-II High School.

Senator Stouffer introduced to the Senate, fourth grade students from St. Joseph, Salisbury.

Senator Stouffer introduced to the Senate, third and fourth grade students from Immaculate Conception, Macon.

Senator Mayer introduced to the Senate, Cassie Wood, Lebanon.

Senator Kehoe introduced to the Senate, Blair Michael, Elle Severance and Kendall Prasad, Jefferson City.

Senator Brown introduced to the Senate, Olivia Howard, Westphalia.

Senator Dempsey introduced to the Senate, Mary Detjen and Jen Wilson and fourth grade students from St. Cletus Elementary, St. Charles.

Senator Goodman introduced to the Senate, fourth grade gifted students from Mt. Vernon Intermediate.

Senator Lamping introduced to the Senate, fourth grade students from Drummond Elementary, St. Ann.

Senator Engler introduced to the Senate, Mayor Mit Landrum and Greg Beavers, Farmington.

Senator Lager introduced to the Senate, students from Rock Port School District.

Senator Schaaf introduced to the Senate, adults and sixty-five students from St. Therese, Kansas City; and Kaityn Pittala, Morgan Storm and Savanna Ott were made honorary pages.

Senator Parson introduced to the Senate, Sheriff Kevin Bond and his children, Corey and Kellie and Cara Chappelle, Pettis County.

Senator Dempsey introduced to the Senate, Kimberly Poppitz, Patty Stewart and seventh grade students from Zion Lutheran, St. Charles.

Senator Pearce introduced to the Senate, fourth grade students from Miami R-1 Elementary, Amoret.

Senator Munzlinger introduced to the Senate, Chase Wilson, Lewistown.

Senator Munzlinger introduced to the Senate, Judge Karl DeMarce, Memphis.

Senator Pearce introduced to the Senate, Ashley Pierce and fourth grade students from Martin Warren

Elementary, Warrensburg.

Senator Kraus introduced to the Senate, Mrs. Rausch and fourth grade students from Plaza Heights Christian Academy, Blue Springs.

Senator Goodman introduced to the Senate, Judge John LePage, McDonald County.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 30, 2012.

SENATE CALENDAR

SIXTY-SECOND DAY—MONDAY, APRIL 30, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1117	HB 2099-Elmer
HCS for HB 1758	HCS for HB 1818
HB 1592-Jones (89), et al	HB 1540-Jones (89), et al
HCS for HB 1280	HCS for HB 1869
HCS for HBs 1741 & 1543	HCS for HB 1865
HCS for HB 1137	HCS for HB 1254

THIRD READING OF SENATE BILLS

SCS for SJR 51-Lembke

SENATE BILLS FOR PERFECTION

SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

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|--|--|
| 1. HB 1104-Schoeller and Smith (150),
with SCS (Engler) | 4. HB 1331-Jones (117), et al, with SCS
(Kehoe) |
| 2. HB 1188-Allen, et al, with SCA 1
(Schmitt) | 5. HB 1128-Largent (Kraus) |
| 3. HB 1179-Hampton, et al (Mayer) | 6. HB 1680-Davis, et al (Pearce) |
| | 7. HCS for HB 1123 (Brown) |

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|---|--|
| 8. HB 1103-Crawford and Wyatt (Parson) | 20. HB 1051-Allen, et al, with SCS |
| 9. HCS for HB 1525, with SCS (Goodman) | 21. HBs 1807, 1093, 1107, 1156, 1221, 1261,
1269, 1641, 1668, 1737, 1782, 1868 &
1878-Marshall, et al, with SCS (Schaaf) |
| 10. HCS for HB 1495, with SCS (Wasson) | 22. HCS for HB 1527 |
| 11. HB 1112-Gosen, with SCS (Rupp) | 23. HB 1403-Schatz, et al (Dempsey) |
| 12. HCS for HB 1042, with SCS (Pearce) | 24. HCS for HB 1108 |
| 13. HB 1504-Richardson, with SCS
(Lamping) | 25. HCS for HB 1094, with SCS (Munzlinger) |
| 14. HCS for HB 1623, with SCS (Schmitt) | 26. HCS for HB 1140, with SCS |
| 15. HB 1073 & HCS for HB 1477-Sater,
with SCS (Munzlinger) | 27. HB 1192-Koenig, et al |
| 16. HB 1039-Leara (Crowell) | 28. HB 1135-Smith (150), et al, with SCS
(Dixon) |
| 17. HCS for HB 1400, with SCS | 29. HCS#2 for HB 1462 (Munzlinger) |
| 18. HCS for HB 1308 | |
| 19. HB 1250-Ruzicka, et al | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

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| SB 438-Mayer | SB 547-Purgason |
| SB 439-Mayer, with SCS, SA 1, SSA 1 for
SA 1 & SA 1 to SSA 1 for SA 1 (pending) | SB 548-Purgason, with SCS |
| SB 442-Stouffer, with SCS | SB 549-Lembke |
| SB 449-Rupp | SBs 553 & 435-Brown, with SCS, SS for
SCS & SA 1 (pending) |
| SB 451-Cunningham, with SCS | SB 577-Goodman and Rupp, with SCS |
| SB 454-Pearce, with SA 1 (pending) | SB 584-Richard and Kehoe, with SCS |
| SB 457-Schmitt, with SCS & SS for SCS
(pending) | SBs 588 & 585-Schmitt, with SCS (pending) |
| SB 465-Schaaf | SB 589-Kraus, with SCS (pending) |
| SB 474-Kraus, with SCS & SA 1 (pending) | SB 596-Brown, with SCS |
| SB 475-Lamping | SB 621-Brown, with SCS, SS for SCS & SA 1
(pending) |
| SB 479-Crowell | SB 623-Cunningham, with SCS |
| SB 490-Munzlinger, with SCS | SB 645-Schaefer |
| SB 491-Munzlinger, with SCS | SB 650-Ridgeway, with SS & SA 2 (pending) |
| SB 516-Schaaf, with SCS (pending) | SB 652-Lager |

SB 656-Lager and Dixon, with SCS	SB 807-Dempsey
SB 657-Rupp, with SCS (pending)	SB 816-Kraus, with SCS
SB 659-Dempsey and Rupp	SBs 817 & 774-Parson, with SCS
SB 661-Schmitt, with SCS (pending)	SB 818-Parson, with SCS
SB 666-Keaveny, with SCS & SS for SCS (pending)	SB 834-Mayer and Parson, with SCS
SB 675-Crowell, with SCS (pending)	SB 843-Lamping, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)	SB 865-Pearce, with SCS
SB 693-Crowell	SB 903-Lamping
SB 695-Parson	SB 905-Mayer
SB 706-Cunningham, with SCS	SB 906-Kraus, with SCS
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)	SB 909-Cunningham, et al
SB 717-Stouffer	SJR 25-Crowell
SB 743-Brown	SJR 29-Lamping, with SS & SA 1 (pending)
SB 744-Wright-Jones, with SCS & SA 2 (pending)	SJR 30-Lamping
SB 788-Keaveny, with SCS (pending)	SJR 39-Cunningham
SB 795-Callahan, et al, with SCS	SJR 45-Nieves
	SJR 47-Rupp, with SCS
	SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)	HCS for HB 1193, with SCS (Engler)
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SENATE BILLS WITH HOUSE AMENDMENTS

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8	SB 736-Engler, with HA 1 SCS for SB 773-Parson, with HA 2 & HA 3
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BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 568-Parson, with HCS, as amended

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SCR 26-Stouffer

HCR 31-Schieffer, et al (Dempsey)
HCR 36-Asbury, et al (Stouffer)

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