

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY—TUESDAY, MAY 1, 2001

The Senate met pursuant to adjournment.

Yeckel—33

President Maxwell in the Chair.

Absent with leave—Senator Carter—1

The Lieutenant Governor was present.

Reverend Carl Gauck offered the following prayer:

Teilhard De Chardin wrote: “Someday after we have mastered the winds, the waves, the tides and gravity, we will harness for God the energies of love, and then for the second time in the history of the world, humankind will have discovered fire.”

Heavenly Father, it is much too easy to get carried away with the mundane and everyday things that come with increasing swiftness before us and lose sight of opportunities that are truly beneficial to our neighbors. Help us to keep focused on those things that are really important, that can help us help our fellow citizens’ life a little easier and capable of lighting a fire that opens a way to increased dignity and self-esteem. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

REPORTS OF STANDING COMMITTEES

Senator Kenney, 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 were referred **SCS** for **SBs 42** and **108**; and **SS** for **SCS** for **SBs 334** and **228**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On behalf of Senator Klarich, Chairman of the Committee on Judiciary, Senator Kenney submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred **HCS** for **HB 241**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 491** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 382**, entitled:

An Act relating to compliance with Title V of the federal Gramm-Leach-Bliley Financial Modernization Act of 1999, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 224**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 179**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 435**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 223**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 520**, entitled:

An Act to repeal sections 301.041, 301.057, 301.058 and 301.121, RSMo 2000, section 301.130

as enacted by house committee substitute for senate substitute for senate bill no. 3 and senate bill no. 156, eighty-eighth general assembly, first regular session, 301.130 as enacted by conference committee substitute for senate substitute for senate bill no. 70, eighty-eighth general assembly, first regular session, relating to motor vehicles, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

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 SB 227**, entitled:

An Act to repeal section 461.073, RSMo 2000, relating to nonprobate transfers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 110**.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HB 459, with **SCS**, introduced by Representative Liese, et al, entitled:

An Act to repeal sections 375.1202 and 375.1220, RSMo 2000, relating to insurance liquidation, and to enact in lieu thereof two new sections relating to the same subject.

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

SCS for HB 459, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 459

An Act to repeal section 375.1220, RSMo 2000, relating to insurer liquidation law, and to enact in lieu thereof one new section relating to the same subject, with a termination date and an

emergency clause.

Was taken up.

Senator Rohrbach moved that **SCS** for **HB 459** be adopted, which motion prevailed.

On motion of Senator Rohrbach, **SCS** for **HB 459** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Staples	Steelman	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Bland Singleton Stoll—3

Absent with leave—Senator Carter—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Staples	Steelman	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Bland Singleton Stoll—3

Absent with leave—Senator Carter—1

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

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

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

HB 732, introduced by Representative Hosmer, entitled:

An Act to repeal section 306.165, RSMo 2000, relating to the water patrol, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

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

On motion of Senator Staples, **HB 732** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	DePasco
Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson
Kenney	Kinder	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Bland Childers Klarich—3

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 933, introduced by Representative Reid, entitled:

An Act to repeal section 144.020, RSMo 2000, relating to the state sales tax, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Gibbons, **HB 933** was

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

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

Yeckel—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 816, introduced by Representatives Kennedy and Gambaro, entitled:

An Act to repeal sections 136.035 and 144.190, RSMo 2000, relating to authenticating claims for tax refunds, and to enact in lieu thereof two new sections relating to the same subject.

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

On motion of Senator Gibbons, **HB 816** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Mathewson Staples—2

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 955, with **SCA 1**, introduced by Representative Green (73), entitled:

An Act to repeal sections 208.471 and 208.480, RSMo 2000, and to enact in lieu thereof two new sections relating to the hospital federal reimbursement allowance program.

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

SCA 1 was taken up.

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

On motion of Senator Goode, **HB 955**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Quick
Rohrbach	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Mathewson Schneider—2

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

CONCURRENT RESOLUTIONS

Senator Goode moved that **HCR 5** be taken up for adoption, which motion prevailed.

Senator Goode offered **SS** for **HCR 5**:

SENATE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, telecommunications services and energy services and sources are vital to the economic vitality and well-being of the state of Missouri; and

WHEREAS, attempts across the nation to deregulate telecommunications services and energy services and sources have met with both success and failure in the effort to create competitive markets and make available new services and customer choices; and

WHEREAS, the state and political subdivisions have imposed taxes, fees and other assessments on various telecommunications and energy services which vary widely based on locality and, within a locality, may vary widely due to increasingly related and competitive services, such as telephone and cable television; and

WHEREAS, the current nationwide effort to establish competition in the production, distribution and sale of energy, including electricity, natural gas and other energy sources has potential benefits and adverse effects on energy producers, distributors, retailers, customers and the citizens of this state; and

WHEREAS, ensuring adequate and affordable telecommunications services and energy services and sources necessitate a fair and equitable tax structure across different telecommunications and energy services and across different regions of the state; and

WHEREAS, the issue of whether governmental entities should expend public resources to compete with private telecommunications and energy entities should be explored; and

WHEREAS, recent increases in the cost of natural gas has affected home heating costs, electricity costs and energy costs for businesses and created a greater need for efficient use of energy resources; and

WHEREAS, Missouri produces little of the energy resources it consumes, resulting in a considerable export of wealth from the state to other parts of the nation and the rest of the world;

WHEREAS, a Joint Interim Committee on Telecommunications and Energy has studied several of the above-mentioned issues during the tenure of the Ninetieth General Assembly and recommends that a similar study committee be established to continue the study during the tenure of the Ninety-first General

Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that a Joint Legislative Committee on Telecommunications and Energy be created to be composed of seven members of the Senate, to be appointed by the President Pro Tem of the Senate, and seven members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and that said committee be authorized to function throughout the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by the prior Joint Interim Committee on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of telecommunications, cable television, all Internet services, including asymmetrical digital subscriber lines (ADSL) and service via cable lines, and energy services taxation, competition between governmental entities and private telecommunication entities, and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee continue and expand the in-depth studies conducted by prior Joint Interim Committees on Telecommunications and Energy and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of deregulation and increasing competition in energy production, distribution and sale, including consideration of the effects on residential customers, small and large business customers, utility shareholders and other stakeholders and any other issues the committee deems relevant; and

BE IT FURTHER RESOLVED that said committee study and make appropriate recommendations concerning financial, legal, social, taxation, environmental, technological and economic issues of energy costs, energy demand management options, decentralization of energy sources, energy efficiency and any other issues the committee deems relevant;

BE IT FURTHER RESOLVED that said committee prepare an interim report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly and a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Division of Energy within the Department of Natural Resources, the Office of Public Counsel, political subdivisions of this state, telecommunications and energy service providers, energy utilities and representatives of all

telecommunications and energy customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

Senator Goode moved that **SS** for **HCR 5** be adopted.

At the request of Senator Goode, the above motion was withdrawn, placing the concurrent resolution back on the calendar with **SS** (pending).

Senator Kenney moved that **HS** for **HCR 6** be taken up for adoption, which motion prevailed.

On motion of Senator Kenney, **HS** for **HCR 6** was adopted by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Carter—1

Senator Goode moved that **HCR 5**, with **SS** (pending), be called from the Calendar and again taken up for adoption, which motion prevailed.

SS for **HCR 5** was again taken up.

Senator Goode moved that **SS** for **HCR 5** be adopted.

Senator Rohrbach assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Concurrent Resolution No. 5, Page 3, Line 25 (3rd line from bottom), by inserting after the word “sources,” on said line the words “**production of alternative energy**,”.

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

At the request of Senator Goode, the motion to adopt **SS** for **HCR 5**, as amended, was withdrawn, placing the concurrent resolution back on the calendar, with **SS** (pending).

REFERRALS

President Pro Tem Kinder referred **SCS** for **SB 387** to the Committee on State Budget Control.

CONCURRENT RESOLUTIONS

Senator Westfall offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 33

WHEREAS, the Missouri Department of Transportation recently announced that there is a \$25 billion funding gap for highways and bridges for the next twenty years; and

WHEREAS, the Transportation Commission’s decision to abandon the 15-Year Plan has caused many Missourians to question the ability of the Missouri Department of Transportation to fulfill its promises and obligations; and

WHEREAS, the highways and transportation infrastructure of Missouri is important to the state’s economy and the safety of its citizens; and

WHEREAS, the current system of state funding has moved Missouri into a precarious position with respect to meeting its highway and transportation needs:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, that a joint legislative interim committee on funding for highways and transportation be created to be composed of nine members of the Senate, to be appointed by the President Pro Tem of the Senate, and nine members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee conduct an in-depth study of existing funding for Missouri’s transportation needs and analyze current expenditures and funding sources and any statutory or constitutional restraints on such expenditures and make any recommendations it deems appropriate concerning this issue; and

BE IT FURTHER RESOLVED that said committee prepare a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the Second Regular Session of the Ninety-first General Assembly; and

BE IT FURTHER RESOLVED that said committee may solicit any input and information necessary to fulfill its obligations from the Missouri Department of Transportation, political subdivisions and other interested parties of this state; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

THIRD READING OF SENATE BILLS

SB 180, introduced by Senator Klarich, entitled:

An Act to repeal section 451.022, RSMo 2000, relating to marriage, and to enact in lieu thereof one new section relating to the same subject.

Was taken up.

On motion of Senator Klarich, **SB 180** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Rohrbach	Russell	Schneider	Scott
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Quick	Sims—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

On motion of Senator Klarich, title to the bill

was agreed to.

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

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

SB 509, introduced by Senators Cauthorn and Klindt, entitled:

An Act to repeal section 33.803, RSMo 2000, relating to performance-based budgeting for state departments, and to enact in lieu thereof one new section relating to the same subject.

Was taken up by Senator Cauthorn.

On motion of Senator Cauthorn, **SB 509** was read the 3rd time and passed by the following vote:

YEAS—Senators

Caskey	Cauthorn	Childers	DePasco
Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson
Kenney	Kinder	Klarich	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins—30		

NAYS—Senator Bland—1

Absent—Senators

Bentley	Yeckel—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

SB 337, introduced by Senators House and Kinder, entitled:

An Act to amend chapter 1, RSMo, by adding thereto three new sections relating to the prohibition of interference with the free exercise of religion.

Was taken up by Senator House.

On motion of Senator House, **SB 337** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Gross	House	Johnson	Kenney
Kinder	Klarich	Klindt	Loudon
Mathewson	Rohrbach	Russell	Schneider
Scott	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Bland	Goode	Jacob—3
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Absent—Senators

Quick	Sims—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

REPORTS OF STANDING COMMITTEES

Senator Singleton, Chairman of the Committee on State Budget Control, submitted the following reports:

Mr. President: Your Committee on State Budget Control, to which was referred **SS for SCS for SB 525**; and **SS for SCS for SB 226**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for SCS for SB 525, introduced by Senator Cauthorn, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 525

An Act to repeal section 414.032, RSMo 2000, relating to fuel requirements, and to enact in lieu

thereof one new section relating to the same subject.

Was taken up.

On motion of Senator Cauthorn, **SS for SCS for SB 525** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Singleton	Staples—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

SS for SCS for SB 226, introduced by Senator Goode, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 226

An Act to amend chapter 192, RSMo, by adding thereto five new sections relating to a life sciences research program.

Was taken up.

On motion of Senator Goode, **SS for SCS for SB 226** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	DePasco	Dougherty
Goode	Jacob	Johnson	Mathewson

Quick	Russell	Schneider	Scott
Sims	Singleton	Staples	Stoll
Westfall	Wiggins	Yeckel—19	

NAYS—Senators

Bland	Cauthorn	Childers	Foster
Gibbons	Gross	House	Kenney
Kinder	Klarich	Klindt	Loudon
Rohrbach	Steelman—14		

Absent—Senators—None

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

SENATE BILLS FOR PERFECTION

Senator Johnson moved that **SB 27**, with **SCS, SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Gibbons, the above amendment was withdrawn.

Senator Dougherty offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 1, Section 322.010, Line 1, by inserting before all of said line the following:

“273.325. 1. Sections 273.325 to 273.357 shall be known as the “Animal Care Facilities Act”.

2. As used in sections 273.325 to 273.357, the following terms mean:

(1) “Adequate food”, the provision, at suitable intervals of not more than twelve hours, unless the dietary requirements of the species require a longer interval, of a quantity of wholesome foodstuff, suitable for the species and age, sufficient to

maintain a reasonable level of nutrition in each animal, all of which foodstuff is served in a safe receptacle, dish, or container;

(2) “Adequate housing”, the continuous provision of a sanitary facility, protection from the extremes of weather conditions, proper ventilation, and appropriate space depending on the species of animal, as defined by regulations of the USDA, as revised;

(3) “Adequate water”, the provision, either continuously or at intervals suitable to the species, which intervals shall not exceed eight hours, of a supply of potable water in a safe receptacle, dish, or container;

(4) “Animal”, any dog or cat, which is being used, or is intended [for use] **to be used**, for research, teaching, testing, breeding, or exhibition purposes, or as a pet;

(5) “**Animal care reserve fund**”, a separate fund within the state treasury specifically created for sections 273.325 to 273.357 and into which all moneys generated by sections 273.325 to 273.357 are deposited for the sole purpose of administering sections 273.325 to 273.357;

(6) “**Animal distributor**”, any person who owns, conducts, or operates an animal distributor premises; this term shall also include persons who buy and sell animals at wholesale, including auctions and flea markets, whether or not an animal distributor premises is maintained;

(7) “**Animal distributor premises**”, any premises where dogs or cats, or both, are bought or sold, auctioned, traded, bartered, given, or offered or maintained for sale, at wholesale for resale to another, including auctions and flea markets;

[5] (8) “**Animal shelter**”, a facility which is used to house or contain animals, which is owned, operated, or maintained by an incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of such animals, or a person whose primary purpose is to act as an animal rescue, to collect and care for unwanted

animals or to offer them for adoption **but does not include an individual who volunteers to render humane assistance or shelter in his or her home to fewer than ten dogs or cats per year;**

[(6)] **(14)** “Animal welfare official”, any licensed veterinarian, designated by and under the supervision of the state veterinarian, who administers or assists in the administration of the provisions of sections 273.325 to 273.357, or any appointee of the director, and shall include all deputy state veterinarians;]

(9) “Auction”, any person selling any consignment of dogs or cats to a bidder; this shall include any means, procedure or practice in which ownership of a dog or cat is conveyed from one person to another by any type or method of bidding process;

[(7)] **(10)** “Boarding kennel”, a place or establishment, other than a [pound] **municipal shelter** or animal shelter, where animals, not owned by the proprietor, are sheltered, fed, and watered in return for a consideration; however, “boarding kennel” shall not include hobby or show breeders who board intact females for a period of time for the sole purpose of breeding such intact females, and shall not include individuals who temporarily, and not in the normal course of business, board or care for animals owned by other individuals;

[(8)] **(11)** “Commercial breeder”, a person, other than a hobby or show breeder, engaged in the business of breeding animals for sale or for exchange in return for a consideration, and who harbors more than three intact females for the primary purpose of breeding animals for sale;

[(9)] **(12)** “Commercial kennel”, a kennel which performs grooming or training services for animals, and may or may not render boarding services in return for a consideration;

[(10)] **(13)** “Contract kennel”, any facility operated by any person or entity other than the state or any political subdivision of the state, for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted animals, on behalf of and pursuant to a contract with the state or any political subdivision;

[(11)] **(14)** “Dealer”, any person who is engaged in the business of buying for resale, selling or exchanging animals, as a principal or agent, or who holds himself out to be so engaged or is otherwise classified as a dealer by the USDA as defined by regulations of the USDA;

[(12)] **(15)** “Director”, the director of the department of agriculture of the state of Missouri;

(16) “Exhibitor”, any person exhibiting any dog or cat to the public for compensation or consideration of any kind, whether directly or indirectly;

[(13)] **(17)** “Hobby or show breeder”, a noncommercial breeder who breeds dogs or cats with the primary purpose of exhibiting or showing dogs or cats, improving the breed or selling the dogs or cats, and having no more than ten intact females. Such breeder shall be classified as a hobby or show breeder if such person only sells animals to other breeders or to individuals;

[(14)] **(18)** “Humane euthanasia”, the act or practice of putting an animal to death in a humane or instantaneous manner under guidelines and procedures established by rules promulgated by the director;

[(15)] **(19)** “Intact female”, with respect to a dog, refers to a female dog between the ages of six months and ten years of age which is capable of being bred; and with respect to a cat, refers to a female cat between the ages of six months and eight years which is capable of being bred;

(20) “Intermediate handler”, any person engaged in any business in which he or she receives custody of animals through boarding, ownership or brokering in connection with their transportation in commerce;

(21) “Municipal shelter”, a facility operated by the state or any political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, relinquished, abandoned, or unwanted animals;

[(16)] **(22)** “Pet shop”, any facility where animals are bought, sold, exchanged, or offered for retail sale to the general public;

[(17)] “Pound” or “dog pound”, a facility

operated by the state or any political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted animals;]

[(19)] **(23)** “USDA”, the United States Department of Agriculture.

273.327. No person shall operate **or permit to be operated on any premises owned, leased, managed or otherwise controlled by such person, an animal distributor premises, an auction, an animal shelter, [pound or dog pound] municipal shelter, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer [or], commercial breeder or intermediate handler**, unless he has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant **and no more than one license shall be issued for each physical facility**. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the **basic minimum** license fee shall range from one hundred to five hundred dollars per year **with an additional minimum charge of one dollar per animal sold, traded, bartered, brokered, auctioned, given away, transferred or otherwise disposed of other than by euthanasia or death over the course of a year, with a total cap of \$1,000.00 maximum. If the per capita fee cannot be determined because the applicant is operating a new facility, the director shall determine the per capita fee for the first year of the license based on the operating capacity of the facility six months after the license is issued and shall be payable by the applicant at that time. All other per capita fees are to be set by rules promulgated by the director.** [Pounds, dog pounds] **Municipal shelters** and animal shelters shall be exempt from payment of [such fee] **license and per capita fees**. License fees shall be levied for each license issued or renewed on or after

January 1, 1993.

273.329. 1. The director may refuse to issue or renew or may suspend or revoke a license on any one or more of the following grounds:

(1) Material and deliberate misstatement in the application for any original license or for any renewal license under sections 273.325 to 273.357;

(2) Disregard or violation of sections 273.325 to 273.357 or of any rules promulgated pursuant thereto;

(3) Conviction of any violation of any state or federal law relating to the disposition or treatment of animals;

(4) Failure to provide adequate food, water, housing or sanitary facilities for animals under the control of an **animal distributor, animal shelter, boarding kennel, commercial breeder, commercial kennel, contract kennel, dealer, intermediate handler, pet shop, [pound] municipal shelter, or exhibitor as defined by regulations of the USDA.**

2. Operation of an animal shelter, [pound or dog pound] **animal distributor premises, auction, municipal shelter, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, or activity as a commercial breeder, intermediate handler or dealer without a valid license shall constitute a class A misdemeanor.**

273.340. A dealer shall only purchase animals from persons in this state who are licensed under sections 273.325 to 273.357, or who are exempt from licensure. Any dealer who knowingly purchases animals in violation of this section **or knowingly purchases animals from a person or facility whose license has been suspended or revoked**, shall be guilty of a class A misdemeanor and each purchase made shall constitute a separate offense. In addition to such penalties, the director [may] **shall** revoke such dealer's license.

273.342. 1. Persons engaged in breeding dogs and cats who harbor three or less intact females shall be exempt from the provisions of sections 273.325 to 273.357.

2. A hobby or show breeder shall be exempt from the licensure and inspection requirements of sections 273.325 to 273.357. The director shall

develop a form for registration of persons who meet the definition of hobby or show breeder, and any such hobby or show breeder shall register annually with the director for the purpose of establishing that such person is a hobby or show breeder, at no cost to said hobby or show breeder. **Any person who intentionally provides false information on the registration form is guilty of a class A misdemeanor.**

[273.352. 1. There is hereby established an advisory committee to assist the director in establishing rules under sections 273.350 and 273.352 and to provide ongoing review of the administration of sections 273.325 to 273.357. The members of the advisory committee shall receive no compensation or reimbursement for their expenses incurred in the performance of their duties. The advisory committee shall consist of thirteen persons appointed by the director as follows:

- (1) One person who operates or supervises an animal shelter;
- (2) One person who operates or is employed by a pound or dog pound;
- (3) One person who operates a commercial kennel or a boarding kennel;
- (4) One person who operates a pet shop and who sells both dogs and cats;
- (5) One dealer;
- (6) One person who operates or is employed by an animal humane society or other humane organization;
- (7) One veterinarian licensed pursuant to chapter 340, RSMo;
- (8) One person who is a commercial animal breeder, who breeds both dogs and cats;
- (9) One person representing the Missouri Animal Control Association;
- (10) One person representing professional cat breeders;
- (11) The state veterinarian of the

department of agriculture;

- (12) The state public health veterinarian of the department of health;
- (13) One hobby or show breeder.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

273.353. 1. There is hereby established the “ACFA Advisory Board” to assist the director in establishing rules pursuant to sections 273.325 to 273.357 and to provide ongoing review of the administration and enforcement of sections 273.325 to 273.357. The members of the advisory board shall receive no compensation or reimbursement for their expenses incurred in the performance of their duties. The members of the advisory board shall serve for three-year terms but not to exceed two consecutive complete terms. Any members of the advisory committee appointed pursuant to section 273.352 shall be eligible for appointment to the advisory board created pursuant to this section. Vacancies on the advisory board shall be filled for the unexpired term by appointment by the governor with the advice and consent of the senate. The advisory board shall meet at least quarterly and at such other times as a majority of the advisory board members may determine.

2. The advisory board shall consist of twelve persons appointed by the governor, with the advice and consent of the senate, as follows:

- (1) One person who operates or supervises an animal shelter;
- (2) One person who operates or is employed by a municipal shelter or a representative of the Missouri animal control association;
- (3) One person who operates a commercial kennel or a boarding kennel;
- (4) One person who operates a pet shop;
- (5) One dealer;
- (6) One person who operates or is employed by an animal humane society;

(7) One veterinarian licensed pursuant to chapter 340, RSMo;

(8) One person who is a commercial animal breeder, who breeds dogs or cats;

(9) The state veterinarian of the department of agriculture;

(10) The state public health veterinarian of the department of health;

(11) One hobby or show breeder; and

(12) One public member who is not associated with the breeding industry or any animal rights group.

3. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

273.357. All fees collected by the director from licenses issued under sections 273.325 to 273.357 **and all administrative fees, penalties and other moneys collected by the director pursuant to sections 273.325 to 273.357** shall be used to administer the provisions of sections 273.325 to 273.357, and shall be deposited in the state treasury to the credit of the "Animal Care Reserve Fund", which is hereby created. **Such fund may also receive gifts, grants, contributions, appropriations and funds or benefits from any other source or sources. A complete listing of all donors and amounts given to the fund will be available for review upon request.** All moneys deposited in the animal care reserve fund shall be subject to appropriation for the use and benefit of the department of agriculture to administer the provisions of sections 273.325 to 273.357. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the animal care reserve fund shall not be transferred to the general revenue fund at the end of the biennium. **Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall be retained in the animal care reserve fund.**"; and

Further amend the title and enacting clause accordingly.

Senator Dougherty moved that the above amendment be adopted.

Senator Gibbons offered **SA 1 to SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 7 of amendment, Section 273.340, Line 15, by deleting all of said section; and on page 8, Section 273.342.2, by deleting all on lines 5 and 6; and further amend the title and enacting clause accordingly.

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

Senator Gibbons offered **SA 2 to SA 2**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 6 of amendment, Section 273.327, Line 7, by deleting all the brackets on said line.

Senator Gibbons moved that the above amendment be adopted.

At the request of Senator Gibbons, **SA 2 to SA 2** was withdrawn.

Senator Foster offered **SA 3 to SA 2**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 6 of amendment, Section 273.327, Line 7, by inserting an opening bracket after the words "one hundred" and a closing bracket after the words "five hundred"; and

Further on line 7, by placing an opening [before the word "range" and a] after the word "from" and inserting before the word "one" the

word “**be**”; and

Further on line 11, by inserting before the word “cap” the word “combined”.

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

SA 2, as amended, was again taken up.

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

Senator Johnson offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 4, Section 322.145, Line 24 of said page, by inserting immediately after said line the following:

“578.012. 1. A person is guilty of animal abuse when a person:

(1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030, RSMo;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.

2. Animal abuse is a class A misdemeanor, unless the defendant has previously plead guilty to or has been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D felony.

[3. For purposes of this section, “animal” shall be defined as a mammal.]”; and

Further amend the title and enacting clause accordingly.

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

Senator Johnson moved that **SS for SCS for SB 27**, as amended, be adopted, which motion prevailed.

On motion of Senator Johnson, **SS for SCS for SB 27**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON SECOND READING

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

HCS for HJR 7—Transportation.

HB 436—Local Government and Economic Development.

HS for HB 349—Pensions and General Laws.

HS for HCS for HB 488—Local Government and Economic Development.

HCS for HB 660—Pensions and General Laws.

HB 678—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 426—Pensions and General Laws.

HCS for HB 831—Civil and Criminal Jurisprudence.

HB 16—Appropriations.

HB 17—Appropriations.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Jerry E. Adams, 863 Coalport Drive, Chesterfield, St. Louis County, Missouri 63141, as Commissioner of the Missouri State Water Patrol, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Bob Boydston, withdrawn.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Josephine L. Emerick, 14051 Calcutta Drive, Chesterfield, St. Louis County, Missouri 63017, as a member of the Missouri Board for Architects, Professional Engineers, and Professional Land Surveyors, for a term ending September 1, 2004, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Charles R. Jackson, 117 Doehla Drive, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Gary B. Kempker, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Gary B. Kempker, 2024 Scenic Drive, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Corrections, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Dora B. Schriro, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Roger D. Stottlemire, 126 Riverwood Drive, Jefferson City, Cole County, Missouri 65109, as Superintendent of the Missouri State Highway Patrol, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Weldon L. Wilhoit, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

President Pro Tem Kinder referred the above appointments to the Committee on gubernatorial appointments.

REFERRALS

President Pro Tem Kinder referred **SCS** for **SBs 42 and 108** and **SS** for **SCS** for **SBs 334 and 222** to the Committee on State Budget Control.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 26**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCR 6**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 10**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **SS** for **SCR 13**.

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the United States Fish and Wildlife Service has recommended that the United States Army Corps of Engineers implement the so-called “spring rise-split season” plan for operation of the Missouri River mainstem reservoir system. This plan would result in an increase in the flow of the Missouri River in the spring and a reduction of the flow in the summer of each year, purportedly to improve habitat for the threatened and endangered pallid sturgeon, least tern and piping plover; and

WHEREAS, additional changes under consideration by the United States Army Corps of Engineers to the Missouri River Master Manual would result in the storage of more water in the upstream reservoirs while decreasing the amount of water available downstream for designated uses. These changes would shorten the navigation season on the Missouri River by twenty-seven days in November and put at risk Mississippi River navigation as well; and

WHEREAS, analysis of the proposed changes by the state of Missouri and the United States Army Corps of Engineers has indicated these changes will fail to improve and will potentially diminish habitat for the species in question, will increase the risk of flooding along the Missouri River, and will result in a decrease in river levels in early summer and fall which will impact navigation and other designated uses on the Missouri and Mississippi Rivers; and

WHEREAS, habitat restoration along the lower Mississippi River has demonstrated great success in aiding the recovery of these species and a similar approach should be given the opportunity to succeed on the Missouri River; and

WHEREAS, these plans have the potential for severe impact on any industry which uses the Missouri River or Mississippi River to transport products and the potential to increase risk of flooding in river communities and on farm land in the Missouri and lower Mississippi River basins; and

WHEREAS, these proposals do not adequately address the concerns and needs of states in the lower Missouri and Mississippi River basin, and will not realize the purported benefit of increasing habitat for endangered species; and

WHEREAS, the Missouri departments of natural resources, conservation and transportation have opposed these plans and have informed the Fish and Wildlife Service and the United States Army Corps of Engineers of their concerns regarding the potential impact on the state's river communities, lands, businesses and wildlife habitat:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Governor to protest against any proposals that would so negatively impact beneficial uses of the lower Missouri and Mississippi Rivers and would not significantly improve conditions for the species of concern; and

BE IT FURTHER RESOLVED that the members of the General Assembly urge the Department of Natural Resources, the Department of Conservation and the Department of Transportation to continue to insist that any plan involving the operations of the Missouri River improve the Missouri River for all beneficial uses and be sure any river management changes are based on sound science; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Governor of Missouri, the Director of the Department of Natural Resources, the Director of the Department of Conservation and the Director of the Department of Transportation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **SCR 14**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 16**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 22**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 20**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 357**.

Emergency clause, as amended, defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HB 555**, entitled:

An Act to amend chapters 192 and 196,

RSMo, by adding thereto twenty new sections relating to a life sciences research program and tobacco settlement, with a referendum clause for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Rohrbach offered Senate Resolution No. 713, regarding Lieutenant John H. Ford, Jefferson City, which was adopted.

Senator Kenney offered Senate Resolution No. 714, regarding National Association of Insurance Women Week, which was adopted.

Senator DePasco offered Senate Resolution No. 715, regarding Emily Smith, which was adopted.

Senator Stoll offered Senate Resolution No. 716, regarding Eleanor Koch Rehm, DeSoto, which was adopted.

Senator Bland offered Senate Resolution No. 717, regarding Michelle Moore, which was adopted.

On motion of Senator Kenney, the Senate recessed until 2:00 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES

Senator Kenney, 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 were referred **SB 224**; **SCS for SB 431**; and **SB 443**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

HOUSE BILLS ON THIRD READING

HB 693, with **SCS**, introduced by Representatives Smith and Carnahan, entitled:

An Act to repeal sections 407.820, 407.822, 621.053, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 2000, relating to the administrative hearing commission, and to enact in lieu thereof seven new sections relating to the same subject.

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

SCS for HB 693, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 693

An Act to repeal sections 407.820, 407.822, 621.053, 621.055, 621.155, 621.165, 621.175, 621.185, 621.189 and 621.198, RSMo 2000, relating to administrative procedure, and to enact in lieu thereof seven new sections relating to the same subject.

Was taken up.

Senator Klarich moved that **SCS for HB 693** be adopted, which motion prevailed.

On motion of Senator Klarich, **SCS for HB 693** was read the 3rd time and passed by the following vote:

YEAS—Senators

Caskey	Cauthorn	Childers	DePasco
Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson
Kenney	Kinder	Klarich	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Bentley	Bland—2
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Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

President Pro Tem Kinder assumed the Chair.

HB 825, introduced by Representative Kennedy, entitled:

An Act to repeal section 144.815, RSMo 2000, relating to the exemption from taxation of bullion and investment coins, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Klarich, **HB 825** was read the 3rd time and passed by the following vote:

YEAS—Senators

Caskey	Cauthorn	Childers	DePasco
Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson
Kenney	Kinder	Klarich	Klindt
Loudon	Mathewson	Quick	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Bentley	Bland—2
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Absent with leave—Senator Carter—1

The President Pro Tem declared the bill passed.

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

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

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

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 274**; **SCS** for **SB 431**; **SB 224**; and **SB 443**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills

would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SB 431**; **SB 224**; and **SB 443**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

HOUSE BILLS ON THIRD READING

HB 321, introduced by Representative Skaggs, et al, entitled:

An Act to repeal section 92.402, RSMo 2000, relating to taxation for public mass transportation systems, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Wiggins, **HB 321** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Russell—1

Absent with leave—Senator Carter—1

The President Pro Tem declared the bill passed.

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

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

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

President Maxwell assumed the Chair.

HB 590, introduced by Representative Graham, entitled:

An Act to repeal section 135.490, RSMo 2000, relating to tax relief for small employers, and to enact in lieu thereof one new section relating to the same subject.

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

On motion of Senator Gibbons, **HB 590** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Scott
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Schneider Sims—2

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HB 808 and **HB 951**, with **SCS**, entitled respectively:

An Act to authorize the conveyance of two parcels of property owned by the state in Cole County to the City of Jefferson for the purpose of wastewater treatment.

An Act to authorize the conveyance of certain property in Cole County.

Were called from the Consent Calendar and taken up by Senator Rohrbach.

SCS for **HB 808** and **HB 951**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 808 AND HOUSE BILL NO. 951

An Act to authorize conveyance of certain property owned by the state located in Cole County.

Was taken up.

Senator Rohrbach moved that **SCS** for **HB 808** and **HB 951** be adopted.

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

Senator Rohrbach offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 808 and House Bill No. 951, Page 2, Section 1, Line 30 of said page, by striking “45” and inserting in lieu thereof “45”.

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

Senator Rohrbach moved that **SCS** for **HB 808** and **HB 951**, as amended, be adopted, which motion prevailed.

On motion of Senator Rohrbach, **SCS** for **HB 808** and **HB 951**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons
Goode	Gross	House	Jacob
Johnson	Kenney	Kinder	Klarich
Klindt	Loudon	Mathewson	Rohrbach
Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Westfall
Wiggins	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Bland Quick Stoll—3

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

Senator Bentley moved that **HB 544**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HB 544** was again taken up.

At the request of Senator Singleton, **SS** for **SCS** for **HB 544** was withdrawn.

Senator Singleton offered **SS No. 2** for **SCS** for **HB 544**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 544

An Act to repeal sections 354.603, 354.618, 376.383 and 376.406, RSMo 2000, relating to health care services, and to enact in lieu thereof seven new sections relating to the same subject, with an effective date for a certain section.

Senator Singleton moved that **SS No. 2** for **SCS** for **HB 544** be adopted.

Senator Rohrbach raised the point of order that **SS No. 2** for **SCS** for **HB 544** is out of order as it goes beyond the scope and purpose of the original bill.

At the request of Senator Singleton, **SS No. 2** for **SCS** for **HB 544** was withdrawn, rendering the point of order moot.

SCS for **HB 544** was again taken up.

Senator Schneider raised the point of order that **SCS** for **HB 544** is out of order as it goes beyond the scope and purpose of the original bill by adding new subject matter.

The point of order was referred to the President Pro Tem, who ruled it well taken.

HB 544 was again taken up.

Senator House offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 544, Page 1, In the Title, Line 1, by inserting after “records” “, with an effective date for a certain section”; and

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

“191.940. 1. For the purposes of this section the following terms mean:

(1) **“Disclose”, to release, transfer, provide access to, or divulge in any other manner information outside the entity holding the information, except that disclosure shall not include any information divulged directly to the individual to whom such information pertains;**

(2) **“Health information”, any information or data except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or an individual that relates to:**

(a) **The past, present or future physical, mental or behavioral health or condition of an individual;**

(b) **The provision of health care to an individual; or**

(c) **Payment for the provision of health care to an individual;**

(3) **“Licensee”, all licensed insurers, producers and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered pursuant to chapter 375, RSMo, a health maintenance organization holding or required to hold, a certificate of authority pursuant to chapter 354, RSMo, or any other entity or person subject to the supervision and regulation of the department of insurance;**

(4) **“Nonpublic personal health information”, health information:**

(a) **That identifies an individual who is the subject of the information; or**

(b) **With respect to which there is a reasonable basis to believe that the information**

could be used to identify an individual;

(5) "Person", without limitation, an individual, a foreign or domestic corporation whether for profit or not-for-profit, a partnership a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, or any other entity.

2. Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes nonpublic personal health information shall not disclose by any means of communication such nonpublic personal health information except pursuant to a prior, written authorization of the person to whom such information pertains or such person's authorized representative, if:

(1) The nonpublic personal health information is disclosed to an affiliate or other third party in exchange for consideration; or

(2) The purpose of the disclosure is:

(a) For the marketing of services or goods for personal, family or household purposes;

(b) To facilitate an employer's employment-related decisions, including, but not limited to, hiring, termination, and the establishment of any other conditions of employment, except as necessary to provide health or other benefits to an existing employee;

(c) For use in connection with the evaluation of an existing or requested extension of credit for personal, family or household purposes; or

(d) Unrelated to any legitimate objective regarding the business, practice or service offered by the disclosing person or entity.

3. Nothing in this section shall be deemed to prohibit any disclosure of nonpublic personal health information as is necessary to comply with any other state or federal law.

4. Any person other than a licensee who knowingly violates the provisions of this section shall be fined not more than five hundred dollars for each violation of this section and may be liable in a civil action for damages or

equitable relief. Any violation under this subsection may be enforced by a state agency responsible for regulating the person or by the attorney general.

5. To the extent a person other than a licensee is subject to and complies with all requirements of the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164 (the "federal privacy rules"), such person shall not be in violation of this section. Until April 14, 2003, a person other than a licensee that is subject to the federal privacy rules shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

6. Irrespective of whether a licensee is subject to the federal privacy rules, if a licensee complies with all requirements of the federal privacy rules except for the effective date provision, the licensee shall not be in violation of this section. Until April 14, 2003, a licensee shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.

7. If a licensee complies with the model regulation adopted on September 26, 2000, by the National Association of Insurance Commissioners entitled "Privacy of Consumer Financial and Health Information Regulation", the licensee shall not be in violation of this section.

8. Notwithstanding the provisions of subsections 5, 6 and 7 of this section, no person or licensee may disclose nonpublic personal health information for marketing purposes contrary to paragraph (a) of subdivision (2) of subsection 2 of this section.

9. The director of the department of insurance shall have the sole authority to enforce this section with respect to licensees including, without limitation, treating violations of this section by licensees as unfair trade

practices pursuant to sections 375.930 to 375.948, RSMo.

10. There shall be established a “Commission on Health Information Privacy” to study the issue of the protection of the privacy of nonpublic personal health information. By January 1, 2003, the commission shall make a recommendation to the general assembly of what additional legislative measures should be enacted to protect the privacy of nonpublic health information.

(1) The members of the commission shall be named by the governor and shall be citizens and residents of the state. The commission shall consist of fifteen individuals: one representative from the health insurance industry; one representative from the life insurance industry; one representative from the property and casualty insurance industry; three representatives from consumer advocacy organizations; three representatives from health care provider organizations; one representative from the department of health; one representative from the department of insurance; and four at-large representatives with demonstrated interest or expertise in health information privacy issues.

(2) Members shall receive no remuneration for their services but shall be reimbursed for actual and reasonable expenses incurred by them in the performance of their duties.”; and

Further amend said bill, Page 2, Section 334.097, Line 34, by inserting after all of said line the following:

“Section B. The enactment of section 191.940 of this act shall become effective January 1, 2002.”; and

Further amend the title and enacting clause accordingly.

Senator House moved that the above amendment be adopted.

At the request of Senator Bentley, **HB 544**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Gross assumed the Chair.

HCS for HBs 302 and 38, with **SCS**, entitled:

An Act to repeal sections 302.302, 302.309, 302.505, 302.510, 302.520, 302.541, 306.112, 306.117, 577.012 and 577.037, RSMo 2000, relating to driving with excessive blood alcohol content, and to enact in lieu thereof ten new sections relating to the same subject, with penalty provisions.

Was taken up by Senator Westfall.

SCS for HCS for HBs 302 and 38, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 302 and 38

An Act to repeal sections 302.130, 302.178, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.540, 302.541, 577.012, 577.021, 577.023, 577.037, 577.041, 577.600 and 577.602, RSMo 2000, relating to traffic offenses, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

Was taken up.

Senator Westfall moved that **SCS for HCS for HBs 302 and 38** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 302 and 38, Page 19, Section 302.540, Line 49, by inserting after all “mental health” the following: **“may create a treatment demonstration project within existing appropriations and”**.

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

Senator Westfall offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 302 and 38, Page 16, Section 302.505, Line 2, by inserting after the word “person” as it appears the first time the following: **“of any age”**; and further

amend lines 11-12, by striking the words “or more”; and further amend line 12, by inserting immediately after the word “weight” the following: **“but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo”**; and further amend line 21, by striking the word “under” and inserting in lieu thereof the words **“pursuant to”**; and

Further amend said bill, Page 16, Section 302.510, Line 2, by inserting after the word “person” the following: **“of any age”**; and further amend line 6, by inserting after the word “or” as it appears the second time the words **“at least”**; and further amend line 7, by inserting immediately after the word “weight” the following: **“but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo”**; and

Further amend said bill, Page 17, Section 302.520, Line 3, by inserting after the word “concentration” the words **“for a person of any age”**; and further amend line 5, by inserting after the word “is” the words **“at least”**; and further amend line 6, by inserting immediately after the word “blood” the following: **“but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo”**; and

Further amend said bill, Page 19, Section 302.541, Line 1, by inserting after the word “person” the following: **“of any age”**; and further amend line 9, by inserting after the word “of” as it appears the first time the words **“at least”**; and further amend line 10, by inserting immediately after the word “weight” the following: **“but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo”**; and

Further amend said bill, Page 20, Section 302.541, Line 14, by inserting after the word “with” the words **“at least”**; and further amend line 15, by inserting after the word “content” the following: **“but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo”**; and further amend line 18, by inserting after all of said line the following:

“302.545. 1. Any person who is less than twenty-one years of age and whose driving privilege has been suspended or revoked, for a first determination [under] **pursuant to** sections 302.500 to 302.540, that such person was driving with **at least** two-hundredths of one percent of blood alcohol content **but no more than the prima facie blood alcohol content for intoxication established pursuant to section 577.037, RSMo**, shall have all official records and all recordations maintained by the department of revenue of such suspension or revocation expunged two years after the date of such suspension or revocation, or when such person attains the age of twenty-one, whichever date first occurs. Such expungement shall be performed by the department of revenue without need of a court order. No records shall be expunged if the person was found guilty or pled guilty to operating a commercial motor vehicle, as defined in section 302.700, with a blood alcohol content of at least four-hundredths of one percent.

2. The provisions of this section shall not apply to any person whose license is suspended or revoked for a second or subsequent time pursuant to subsection 1 of this section or who is convicted of any alcohol-related driving offense before the age of twenty-one including, but not limited to:

(1) Driving while intoxicated pursuant to section 577.010, RSMo; or

(2) Driving with excessive blood alcohol content pursuant to section 577.012, RSMo.”; and

Further amend the title and enacting clause accordingly.

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

Senators Schneider and Klarich offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 302 and 38, Page 18, Section 302.520, Line 28, by inserting after all of said line the following:

“302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of

proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536, RSMo. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. The presiding judge of the circuit court may assign a [traffic judge, pursuant to section 479.500, RSMo 1994, a] circuit judge or an associate circuit judge to hear such petition.

2. The filing of a petition for trial de novo shall not result in a stay of the suspension or revocation order. But upon the filing of such petition, a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education shall be issued by the department if the person's driving record shows no prior alcohol related enforcement contact during the immediately preceding five years. Such limited driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the limited driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license."; and

Further amend said bill, Page 21, Section

304.028, Line 26, by inserting after all of said line the following:

"479.500. 1. In the twenty-first judicial circuit, a majority of the circuit judges, en banc, may establish a traffic court, which shall be a division of the circuit court, and may authorize the appointment of not more than three municipal judges who shall be known as traffic judges. The traffic judges shall be appointed by a traffic court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of St. Louis County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the traffic court judicial commission shall be established by circuit court rule.

2. Traffic judges may be authorized to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by circuit court rule. Traffic judges may also be authorized to hear in the first instance violations of county and municipal ordinances involving motor vehicles, and other county ordinance violations, as provided by circuit court rule.

3. In the event that a county municipal court is established pursuant to section 66.010, RSMo, which takes jurisdiction of county ordinance violations the circuit court may then authorize the appointment of no more than two traffic judges authorized to hear municipal ordinance violations other than county ordinance violations, and to act as commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by rule. [These traffic court judges also may be authorized to act as commissioners to hear in the first instance petitions to review decisions of the department of revenue or the director of revenue filed pursuant to sections 302.309, 302.311, 302.535 and 302.750, RSMo.]

4. In establishing a traffic court, the circuit may be divided into such sectors as may be established by a majority of the circuit and associate circuit judges, en banc. The traffic court in each sector shall hear those cases arising within the territorial limits of the sector unless a case arising within another sector is transferred as provided by operating procedures.

5. Traffic judges shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of St. Louis County, and shall receive from the state as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Each judge shall devote approximately one-third of his working time to the performance of his duties as a traffic judge. Traffic judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a traffic judge and shall not be a judge or prosecutor for any other court. Traffic judges shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

6. A majority of the judges, en banc, shall establish operating procedures for the traffic court which shall provide for regular sessions in the evenings after 6:00 p.m. and for Saturday or other sessions as efficient operation and convenience to the public may require. Proceedings in the traffic court, except when a judge is acting as a commissioner pursuant to this section, shall be conducted as provided in supreme court rule 37. The hearing shall be before a traffic judge without jury, and the judge shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. No term of imprisonment or confinement may be assessed by a traffic judge. In the event a jury trial is requested, the cause shall be certified to the circuit court for trial by jury as otherwise provided by law. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

7. In establishing operating procedure, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

8. Operating procedures shall be provided for electronic recording of proceedings, except that if adequate recording equipment is not provided at county expense, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, RSMo, except that the provisions of subsection 2 of section 512.180, RSMo, shall not apply to such cases.

9. The circuit court shall only have the authority to appoint two commissioners with the jurisdiction provided in subsection 3 of this section.

10. All costs to establish and operate a county municipal court under section 66.010, RSMo, and this section shall be borne by such county.”; and

Further amend the title and enacting clause accordingly.

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

Senator Westfall moved that **SCS** for **HCS** for **HBs 302** and **38**, as amended, be adopted, which motion prevailed.

Senator Westfall was recognized to close.

President Pro Tem Kinder referred **SCS** for **HCS** for **HBs 302** and **38**, as amended, to the Committee on State Budget Control, which placed the bill on the Informal Calendar.

HB 157, with **SCS**, introduced by Representative Hosmer, entitled:

An Act to repeal sections 193.185 and 451.080, RSMo 2000, relating to marriage licenses, and to enact in lieu thereof two new sections relating to the same subject.

Was taken up by Senator Bentley.

SCS for **HB 157**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 157**

An Act to repeal sections 193.185, 451.022 and 451.080, RSMo 2000, relating to marriage, and to enact in lieu thereof three new sections relating to the same subject.

Was taken up.

Senator Bentley moved that **SCS** for **HB 157** be adopted, which motion prevailed.

On motion of Senator Bentley, **SCS** for **HB 157** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Cauthorn
Childers	DePasco	Dougherty	Foster
Gibbons	Goode	Gross	House
Jacob	Johnson	Kenney	Kinder
Klarich	Klindt	Loudon	Mathewson
Quick	Rohrbach	Russell	Schneider
Scott	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senator Sims—1

Absent with leave—Senator Carter—1

The President declared the bill passed.

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

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

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

HJR 5, introduced by Representative Barry, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 26(b) of article VI of the Constitution of Missouri, relating to school district bond elections and adopting one new section in lieu thereof relating to the same subject.

Was taken up by Senator Yeckel.

Senator Klarich offered **SS** for **HJR 5**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 5**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 26(b) of article VI of the Constitution of Missouri relating to property taxes, and adopting two new sections in lieu thereof relating to the same subject.

Senator Klarich moved that **SS** for **HJR 5** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Joint Resolution No. 5, Page 3, Section 25, Line 7, by deleting lines 7 through 29 on said page.

Senator Klarich moved that the above amendment be adopted.

Senator Gibbons assumed the Chair.

Senator Jacob raised the point of order that **SS** for **HJR 5** is out of order as the **SS** goes beyond the scope of the original joint resolution.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed the joint resolution on the Informal Calendar, with **SS** and **SA 1** (pending).

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 18**, as amended, and requests the Senate to recede from its

position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 19** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HBs 835, 90, 707, 373, 641, 510, 516** and **572**, entitled:

An Act to repeal sections 50.550, 150.465, 195.222, 195.223, 210.001, 210.025, 210.140, 214.131, 217.690, 302.302, 302.321, 304.012, 374.700, 374.715, 374.755, 494.425, 494.430, 537.523, 542.261, 542.276, 544.170, 547.170, 556.036, 556.061, 558.019, 559.100, 565.024, 565.050, 565.060, 565.070, 565.084, 565.225, 566.067, 566.068, 566.083, 566.090, 566.093, 566.140, 566.141, 569.070, 570.010, 570.020, 570.030, 570.080, 570.090, 570.120, 570.130, 570.135, 571.030, 571.070, 574.085, 575.230, 577.020, 590.105, 590.650, 595.030, 595.035, 595.045, 595.209, 632.480, 650.050 and 650.055, RSMo 2000, and to enact in lieu thereof one hundred three new sections relating to crimes and punishment, 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 has taken up and passed **HS** for **HCS** for **HBs 280, 69, 497** and **689**, entitled:

An Act to repeal sections 190.050, 190.092, 190.094, 190.100, 190.105, 190.108, 190.109, 190.120, 190.142, 190.160, 190.165, 190.171, 190.175, 190.185, 190.196, 320.091, 320.094, 321.130, 321.190, 321.300 and 355.066, RSMo 2000, relating to the provision of emergency

services, and to enact in lieu thereof forty-eight new sections relating to the same subject, 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 has taken up and passed **HS** for **HB 736**, entitled:

An Act to repeal sections 95.280, 143.471, 148.064, 148.400, 301.600, 362.044, 362.105, 362.106, 362.119, 362.170, 362.270, 362.325, 362.335, 362.495, 362.935, 362.942, 408.052, 408.140 and 513.430, RSMo 2000, relating to banking, and to enact in lieu thereof nineteen new sections relating to the same subject, 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 has taken up and passed **HCS** for **HB 428**, entitled:

An Act to amend chapter 575, RSMo, by adding thereto one new section relating to eluding a law enforcement official, 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 has taken up and passed **HB 592**, entitled:

An Act to amend chapter 26, RSMo, by adding thereto one new section relating to a multicultural program and committee within the office of the lieutenant governor, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is

respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Russell requested unanimous consent of the Senate to make one motion to send **SCS** for **HCS** for **HB 13**; **SCS** for **HCS** for **HB 18**, as amended; and **SCS** for **HCS** for **HB 19** to conference, which request was granted.

Senator Russell moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 13**; **SCS** for **HCS** for **HB 18**, as amended; and **SCS** for **HCS** for **HB 19**, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**; **SCS** for **HCS** for **HB 18**, as amended; and **SCS** for **HCS** for **HB 19**: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

PRIVILEGED MOTIONS

Senator Goode moved that the Senate refuse to recede from its position on **SCS** for **HB 491** and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Hilary Ryals Huffman, Republican, 6700 Bancroft, Apartment 1 E, St. Louis City, Missouri 63109, as a member of the Board of Election Commissioners for St. Louis City, for a term ending January 1, 2005, and until her successor is duly appointed and qualified; vice, Joan M. Crawford, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Audrey R. Jones, Democrat, 19 Washington Terrace, St. Louis City, Missouri 63112, as Chairperson and member of the Board of the Election Commissioners for St. Louis City, for a term ending January 15, 2005, and until her successor is duly appointed and qualified; vice, Floyd A. Kimbrough, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Richard W. Sullivan, Democrat, 3847 Rue de Renard, Florissant, St. Louis County, Missouri 63034, as a member of the Board of Election Commissioners for St. Louis County, for a term ending January 15, 2005, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Kathy A. Surratt-States, Democrat, 5012 Bischoff Avenue, St. Louis City, Missouri 63110, as a member of the Board of Election Commissioners for St. Louis City, for a term ending January 1, 2005, and until her successor is duly appointed and qualified; vice, Joseph Neill, resigned.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Donna M. White, Republican, 1609 Paddlewheel Circle, Jefferson City, Cole County, Missouri 65109, as a member of the Board of Probation and Parole, for a term ending August 16, 2006, and until her successor is duly appointed and qualified; vice, Jim Mitchell, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Pamela S. Wright, Republican, 893 Alanson, University City, St. Louis County, Missouri 63132, as Secretary and member of the Board of Election Commissioners for St. Louis County, for a term ending January 15, 2005, and until her successor is duly appointed and qualified; vice, John Moten, Jr., term expired.

Respectfully submitted,
BOB HOLDEN
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 1, 2001

TO THE SENATE OF THE 91st GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice and consent the following appointment to office:

Judy A. Zakibe, Republican, 3216 Regal Place, St. Louis City, Missouri 63139, as Secretary and member of the Board of Election Commissioners for St. Louis City, for a term ending January 1, 2005, and until her successor is duly appointed and qualified; vice,

Edward E. Ottinger, term expired.

Respectfully submitted,
BOB HOLDEN
Governor

President Pro Tem Kinder referred the above appointments to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Sims, Chairman of the Committee on Aging, Families and Mental Health, submitted the following report:

Mr. President: Your Committee on Aging, Families and Mental Health, to which was referred **HS** for **HCS** for **HBs 328** and **88**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kenney, 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 **SS** for **SCS** for **SB 27**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Gross offered Senate Resolution No. 718, regarding Donald J. Newman, III, St. Charles, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Rohrbach, the President introduced to the Senate, Pat Reed and students from St. Andrews School, Tipton; and Alyssa Davis, Matthew Kuttenkuler, Lianne Knipp and Donna Bracht were made honorary pages.

Senator Gibbons introduced to the Senate, fifty fourth grade students from Edgar Road School, Webster Groves.

Senator Gibbons introduced to the Senate, members of the Kirkwood Area Chamber of

Commerce.

Senator Yeckel introduced to the Senate, Mary Herst and one hundred forty-five fifth grade students from Trautwein Accelerated School, St. Louis; and Colleen Schiwinger, Mike Faulkner, Will Kiehne and Samantha Christie were made honorary pages.

Senator Yeckel introduced to the Senate, Tim, Kim and Reagan Nash, Camden Point; and Reagan was made an honorary page.

Senator Caskey introduced to the Senate, Carrie Jacobs, Mrs. Randles and twenty-five fourth, fifth

and sixth grade students from Miami R-I School, Amoret; and Holden Reece, Tiffany Burk, Samantha Fink and Lindsey Wilson were made honorary pages.

Senator Klarich introduced to the Senate, Rita Griesheimer, Jerome Maune, Kathy Maune, Dottie Hillerman and Bernie Hillerman, Washington.

Senator Bland introduced to the Senate, Caleb Wurth, St. Pauls Day School, Kansas City; and Caleb was made an honorary page.

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

SENATE CALENDAR

SIXTY-FIFTH DAY—WEDNESDAY, MAY 2, 2001

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HS for HB 555-Foley
 HS for HCS for HBs 835,
 90, 707, 373, 641, 510,
 516 & 572-Britt

HS for HCS for HBs 280,
 69, 497 & 689-Hoppe
 HS for HB 736-Liese
 HCS for HB 428
 HB 592-Williams

THIRD READING OF SENATE BILLS

1. SCS for SB 505-Loudon
(In Budget Control)
2. SS for SCS for SBs 510,
512 & 133-Kenney
(In Budget Control)
3. SCS for SB 578-Goode
and Russell
(In Budget Control)

4. SS for SB 242-Kenney
(In Budget Control)
5. SCS for SB 225-
Mathewson
(In Budget Control)
6. SS for SCS for SB 375-
Steelman
(In Budget Control)

7. SCS for SB 387-Goode, et al
(In Budget Control)
8. SCS for SBs 42 & 108-Kenney
(In Budget Control)
9. SS for SCS for SBs 334 &
228-Kinder (In Budget Control)
10. SS for SCS for SB 27-
Johnson

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------|--|
| SB 565-Staples | SBs 249 & 523-Wiggins,
with SCS |
| SB 596-Loudon | SBs 508 & 468-Cauthorn
and Klindt, with SCS |
| SB 597-Singleton | |
| SB 268-Schneider, with SCS | |

HOUSE BILLS ON THIRD READING

1. HCS for HB 207, with
SCA 1 (Childers)
(In Budget Control)
2. HB 80-Ross, with SCS
(Kenney)
(In Budget Control)
3. HCS for HBs 144 & 46,
with SCS (Kenney)
(In Budget Control)
4. HB 949-Barry, with
SCS (Sims)
5. HS for HCS for HB 762-
Barry, with SCS
(Sims and Stoll)
(In Budget Control)
6. HS for HJR 11-Gambaro
(Goode)
7. HCS for HB 567, with
SCS (Klarich)
(In Budget Control)
8. HB 575-O'Connor, et al,
with SCS (Kenney)
9. HS for HB 381-Hoppe,
with SCS (Kenney)
(In Budget Control)
10. HB 444-Kreider, et al,
with SCA 1 (Wiggins)
11. HS for HB 421-Hoppe,
with SCS (Kinder)
12. HB 385-Franklin, with
SCS (Foster)
13. HCS for HBs 205, 323
& 549, with SCS
(Childers) (In Budget Control)
14. HB 662-Green (73) and
St. Onge, with SCS
(Foster)
15. HS for HCS for HB 425-
O'Toole
16. HB 285-Riback Wilson,
et al (Jacob)
17. HB 120-O'Connor, with
SCS (Caskey)
18. HB 163-Berkowitz and
Wagner (Westfall)
19. HB 471-Jolly, et al,
with SCS (Wiggins)
(In Budget Control)
20. HB 626-Hosmer, with
SCS (Bentley)

- | | |
|---|--|
| <p>21. HS for HCS for HB 107-Clayton, with SCS (Klarich)
(In Budget Control)</p> <p>22. HCS for HB 50, with SCS (Stoll)
(In Budget Control)</p> <p>23. HCS for HBs 754, 29, 300 & 505 (Bentley)
(In Budget Control)</p> <p>24. HB 185-Legan, et al, with SCS (Gross)</p> <p>25. HCS for HB 738 (Klarich)</p> <p>26. HCS for HBs 441, 94 & 244 (Johnson)</p> | <p>27. HB 453-Ransdall, et al, with SCS (Steelman)
(In Budget Control)</p> <p>28. HB 501-Bowman, et al, with SCS (Steelman)
(In Budget Control)</p> <p>29. HCS for HB 581, with SCS (Klindt)</p> <p>30. HB 133-Gambaro, with SCS (Yeckel)</p> <p>31. HCS for HB 241, with SCS (Caskey)</p> <p>32. HS for HCS for HBs 328 & 88-Harlan, with SCS</p> |
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INFORMAL CALENDAR
Journal
SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| <p>SB 65-Gibbons, with SCS</p> <p>SBs 67 & 40-Gross, with SCS</p> <p>SB 68-Gross and House</p> <p>SB 99-Sims, with SCS</p> <p>SB 114-Loudon, with SCS, SS for SCS & SA 1 (pending)</p> <p>SB 184-Johnson, et al, with SS#2 (pending)</p> <p>SB 222-Caskey, with SA 3 & SSA 1 for SA 3 (pending)</p> <p>SBs 238 & 250-Staples, et al, with SCS (pending)</p> <p>SB 239-Stoll, with SCS & SA 11 (pending)</p> <p>SB 251-Kinder</p> <p>SBs 253 & 260-Gross, with SCS (pending)</p> | <p>SB 331-DePasco, et al, with SCS & SS for SCS (pending)</p> <p>SB 373-Gibbons and Yeckel, with SCS</p> <p>SBs 391 & 395-Rohrbach, with SCS & SS for SCS (pending)</p> <p>SB 438-Bentley and Stoll, with SS, SS for SS & SA 1 (pending)</p> <p>SB 445-Singleton, with SCS & SS for SCS (pending)</p> <p>SB 454-Kinder, with SCS</p> <p>SB 455-Kinder, et al, with SCS</p> <p>SBs 459, 305, 396 & 450-Westfall, with SCS & SS for SCS (pending)</p> |
|---|---|

SB 469-Gross, et al
SB 488-Klindt, et al,
with SCS
SB 535-Rohrbach, with SCS,
SS for SCS & point of
order (pending)

SB 546-Kenney, et al,
with SCS
SB 583-Yeckel
SB 593-Klindt, with SCS
SJR 11-Yeckel

HOUSE BILLS ON THIRD READING

SCS for HCS for HBs 302 &
38 (Westfall) (In Budget Control)
HB 544-Holand and
Treadway, with SA 1
(pending) (Bentley)

HB 954-Hosmer (Westfall)
HJR 5-Barry, et al, with SS,
SA 1 & point of order
(pending) (Yeckel)

CONSENT CALENDAR

Senate Bills

Reported 2/5

SB 143-Childers

Reported 2/19

SB 315-Childers, with SCS

Reported 3/5

SB 354-Johnson and Scott,
with SCS

Reported 3/12

SB 526-Dougherty, with SCS

House Bills

Reported 4/11

HB 742-Harding, et al,
with SCS (Johnson)
HB 922-Gaskill and
Bartelsmeyer (Childers)

HB 909-Davis (Mathewson)
HB 779-Barnett (Klindt)
HB 600-Hosmer and Marsh
(Bentley)

HB 596-Kennedy and
Gambaro (Scott)
HB 502-Ward (Staples)
HB 410-Holt, et al (House)

HB 409-Surface (Singleton)
HB 408-Kelley (47) (Kenney)
HB 84-Richardson (Childers)
HB 788-O'Connor (Gross)

Reported 4/12

HB 78-Kennedy and
Richardson (Klarich)
HB 607-Treadway, et al,
with SCS (Sims)
HB 796-Hosmer, with SCS
(Singleton)
HB 111-Ladd Baker (Gross)
HCS for HB 106 (Bland)
HB 431-Barry (Singleton)
HB 52-Ward and Crump,
with SCAs 1 & 2 (Staples)
HB 945-Hosmer, with SCS
(Bentley)
HB 420-Williams, et al
(Westfall)
HB 458-Lawson, et al
(Klindt)
HB 470-Shields and
Hegeman (Johnson)
HBs 648, 477 & 805-
Ostmann, et al, with
SCS (Westfall)
HB 691-Barnett, et al,
with SCS (Klindt)

HB 897-Kreider, et al
(Klindt)
HB 45-Farnen (Bentley)
HB 309-McKenna, et al
(Stoll)
HB 865-Davis (Caskey)
HB 725-Britt (Foster)
HB 881-Scott, et al, with
SCS (Rohrbach)
HB 606-Kennedy, et al,
with SCS (Yeckel)
HB 202-Rizzo, with SCS
(Kenney)
HB 242-Smith, with SCS
(House)
HB 361-Shoemyer, with SCS
(Goode)
HB 498-Wagner and McKenna,
with SCS (Stoll)
HB 679-Boykins (Sims)
HB 473-Robirds, with SCS
(Foster)
HB 904-Merideth, et al,
with SCS (Foster)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 227-Jacob, with HCS
SCS for SB 382-Yeckel and
Stoll, with HCS

SCS for SB 520-Foster,
with HCS
SB 544-Johnson, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS

(Russell)

HCS for HB 3, with SCS

(Russell)

HCS for HB 4, with SCS

(Russell)

HCS for HB 5, with SCS

(Russell)

HCS for HB 6, with SCS,

as amended (Russell)

HCS for HB 7, with SCS

(Russell)

HCS for HB 8, with SCS

(Russell)

HCS for HB 9, with SCS

(Russell)

HCS for HB 10, with SCS,

as amended (Russell)

HCS for HB 11, with SCS,

as amended (Russell)

HCS for HB 12, with SCS

(Russell)

HCS for HB 13, with SCS

(Russell)

HCS for HB 18, with SCS,

as amended (Russell)

HCS for HB 19, with SCS

(Russell)

HB 491-George, with SCS

(Goode)

Requests to Recede or Grant Conference

SCS for SB 151-Childers,

with HCS

(Senate requests House

recede or grant conference)

RESOLUTIONS

SR 345-Quick, et al

SR 346-Kinder, with SA 3

& SSA 1 for SA 3

(pending)

To be Referred

SCR 33-Westfall

Reported from Committee

SCR 8-Caskey, with SA 2
(pending)
SCR 17-Steelman, et al
HCR 16-Green and Holt
(House)

SR 495-Klarich, with SCS
HCR 5-Mays, with SS
(pending) (Goode)
HCR 24-Boucher, with SCS
(Yeckel)

Reported from House with Amendments

SS for SCR 13-Foster,
with HCS

Unofficial
Requests to Recede or Grant Conference

SS for SCR 2-Singleton,
with HCS
(Senate requests House
recede or grant conference)

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