

Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-FIFTH DAY—FRIDAY, MAY 16, 2003

The Senate met pursuant to adjournment.

President Maxwell in the Chair.

Reverend Carl Gauck offered the following prayer:

“I have fought the good fight, I have finished the race, I have kept the faith.” (Romans)

Almighty Father, we approach our last nine hours with still much to do; but as the gavel falls and this year’s session has ended, let us know that we have fought the good fight, having done what was necessary and at times hard to do in a difficult year. Bless what we have done, we pray, that it may have a good effect. And, as we rush to the finish line, we know we will not do everything that is needing to be done, but help us to be faithful to You and our people. 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.

Photographers from KRCG-TV, the Associated Press, the Jefferson City News Tribune, KOMU-TV, KMIZ-TV and KWIX/KRES/KIRK Radio were given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler

Yeckel—33

Absent with leave—Senator DePasco—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bray offered Senate Resolution No. 1015, regarding Liesel Von Gontard, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1016, regarding Dana Middleton, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1017, regarding Carly Jacobs, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1018, regarding Nick Bocchini, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1019, regarding Sam Hurster, Ladue, which was adopted.

Senator Bray offered Senate Resolution No.

1020, regarding Colleen Cernik, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1021, regarding Genevieve Soncasie, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1022, regarding Natalie Diacovo, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1023, regarding Allen Fishel, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1024, regarding Ajeet Gautam, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1025, regarding B. I. Middleton, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1026, regarding Meridith O'Connor, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1027, regarding Helen Zell, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1028, regarding Aaron Zuckerman, Ladue, which was adopted.

Senator Bray offered Senate Resolution No. 1029, regarding Aron Frankel, Clayton, which was adopted.

Senator Bray offered Senate Resolution No. 1030, regarding Richard Hackmann, Clayton, which was adopted.

Senator Klindt offered Senate Resolution No. 1031, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Giles Steffes, Wien, which was adopted.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HCS** for **HB 688**, as amended. Representatives: Cooper 155, Hanaway, Dempsey, Graham and Skaggs.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HS** for **HCS** for **HB 455** and has taken up and passed **SCS** for **HS** for **HCS** for **HB 455**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HS**, as amended, for **SS No. 2** for **SS** for **SCS** for **SB 2** and has again taken up and passed **SS No. 2** for **SS** for **SCS** for **SB 2**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SCS** for **SB 38**, as amended, and grants the Senate a conference thereon.

HOUSE BILLS ON THIRD READING

HB 697, with **SCS**, was placed on the Informal Calendar.

HS for **HB 267**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 322** was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Goode moved that the conference committee report on **HS** for **SS No. 2** for **SB 695**, as amended, be taken up, which motion prevailed.

Senator Goode moved that the conference committee report be adopted.

At the request of Senator Goode, the above motion was withdrawn.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS for HCS for SS for SCS for SB 5**, entitled:

An Act to repeal sections 56.807, 84.570, 217.362, 217.750, 217.760, 478.610, 513.653, 556.061, 557.036, 558.011, 558.016, 558.019, 559.026, 559.115, 565.081, 565.082, 565.083, 568.045, 570.030, 570.040, 571.030, 589.400, 589.407, 589.414, and 595.209, RSMo, and to enact in lieu thereof twenty-eight new sections relating to crime, with penalty provisions and 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 adopted the Conference Committee Report on **SS for SCS for HS for HB 470**, as amended, and has taken up and passed **CCS for SS for SCS for HS for HB 470**.

PRIVILEGED MOTIONS

Senator Caskey moved that **SS for SCS for SB 5**, with **HS for HCS**, be taken up for third reading and final passage, which motion prevailed.

HS for HCS for SS for SCS for SB 5, entitled:

HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 5

An Act to repeal sections 56.807, 84.570,

217.362, 217.750, 217.760, 478.610, 513.653, 556.061, 557.036, 558.011, 558.016, 558.019, 559.026, 559.115, 565.081, 565.082, 565.083, 568.045, 570.030, 570.040, 571.030, 589.400, 589.407, 589.414, and 595.209, RSMo, and to enact in lieu thereof twenty-eight new sections relating to crime, with penalty provisions and an emergency clause.

Was taken up.

Senator Caskey moved that **HS for HCS for SS for SCS for SB 5** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

On motion of Senator Caskey, **HS for HCS for SS for SCS for SB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

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

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

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

Bill ordered enrolled.

Senator Shields moved that **SS** for **SCS** for **HB 286**, with **HPA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HPA 1 was taken up.

Senator Shields moved that **HPA 1** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Goode—1

Absent with leave—Senator DePasco—1

On motion of Senator Shields, **SS** for **SCS** for **HB 286**, as amended by **HPA 1**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Bland—1

Absent with leave—Senator DePasco—1

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

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

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

Senator Bartle, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SB 469**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 469

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 469, with House Amendments Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 469, as amended;

2. That the Senate recede from its position on Senate Bill No. 469;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 469, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Matt Bartle

/s/ Richard Byrd

/s/ Gary Nodler

/s/ Bryan Pratt

/s/ Anita Yeckel

/s/ Bryan Stevenson

/s/ Harold Caskey

Fred Kratky

Maida Coleman

Rick Johnson

Senator Bartle moved that the above conference committee report be adopted.

At the request of Senator Bartle, the above

motion was withdrawn.

Senator Steelman, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **SS** for **SCS** for **SBs 361, 103, 156** and **329**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 361, 103, 156 and 329

The Conference Committee appointed on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 361, 103, 156 & 329, with House Amendments Nos. 1, 2, 3, 4, 5, and 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 361, 103, 156 & 329, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 361, 103, 156 & 329;

3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 361, 103, 156 & 329, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Sarah H. Steelman

/s/ Merrill Townley

John Cauthorn

/s/ Jim Guest

/s/ Dan Clemens

/s/ Charles Schlottach

/s/ Rita Heard Days

/s/ Ryan McKenna

/s/ Ed Quick

/s/ Wes Wagner

Senator Steelman moved that the above

conference committee report be adopted.

Senator Bray raised the point of order that the conference committee report on **HS** for **SS** for **SCS** for **SBs 361, 103, 156** and **329** goes beyond the scope and purpose of the original bills.

The point of order was referred to the President Pro Tem, who took it under advisement.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 228**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 228**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SS** for **HS** for **HCS** for **HBs 679** and **396**, as amended, and has taken up and passed **CCS** for **SS** for **HS** for **HCS** for **HBs 679** and **396**, as amended by Conference Committee Amendment No. 1.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 327**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 327**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HB 198**, as amended, and has taken up and passed **CCS** for **SS** for

HB 198.

PRIVILEGED MOTIONS

Senator Dolan, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HB 668**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE BILL NO. 668

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 668, with Senate Amendment Nos. 1, 2, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 668, as amended;

2. That the House recede from its position on House Substitute for House Bill No. 668;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 668, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jon Dolan

/s/ John Cauthorn

/s/ Gary Nodler

/s/ Joan Bray

/s/ Rita Heard Days

FOR THE HOUSE:

/s/ Larry Crawford

/s/ Kevin Threlkeld

/s/ Lanie G. Black

/s/ Thomas P. Green

/s/ Terry Young

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

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler

Yeckel—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator DePasco—1

Senator Bartle assumed the Chair.

On motion of Senator Dolan, **CCS** for **SS** for **SCS** for **HS** for **HB 668**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 668

An Act to repeal sections 21.795, 226.030, 238.207, 238.210, 238.215, 238.220, 238.222, 238.235, 238.236 and 523.050, RSMo, and to enact in lieu thereof twelve new sections relating to transportation accountability measures.

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

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler

Yeckel—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Senator Shields, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HS** for **HCS** for **HBs 679** and **396**, as amended, moved that the following conference committee report no. 2 be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2
ON SENATE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 679 and 396

The Conference Committee appointed on Senate Substitute for House Substitute for House Committee Substitute for House Bills Nos. 679 and 396, with Senate Amendment Nos. 3, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Substitute for House Committee Substitute for House Bills Nos. 679 and 396, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bills Nos. 679 and 396;
3. That the Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bills Nos. 679 and 396, with Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Charlie Shields /s/ Catherine L. Hanaway
- /s/ Bill Foster /s/ Mark Wright
- /s/ Norma Champion /s/ Bryan P. Stevenson
- /s/ Pat Dougherty /s/ Yvonne Wilson
- /s/ Harry Kennedy /s/ Barbara Fraser

CONFERENCE COMMITTEE AMENDMENT NO. 1

Amend Conference Committee Substitute for Senate Substitute for House Substitute for House Committee Substitute for House Bills Nos. 679 & 396, Page 24, Section 43.540, Line 23 of said page, by inserting after the word “**provider**” the following: “**if a national criminal record review is requested**”; and

Further amend said bill, Pages 105 and 106, Section 210.201, by deleting all of said section and inserting in lieu thereof the following:

“210.201. As used in sections 210.201 to 210.257, the following terms mean:

(1) “Child”, an individual who is under the age of seventeen;

(2) “Child-care facility”, a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment which provides child care as a convenience for its customers or its employees for no more than four hours per day, but a child-care facility shall not include any private or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year-old children, a home school, as defined in section 167.031, RSMo, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization. **If a facility or program is exempt from licensure based on**

the school exception established in this subdivision, such facility or program shall submit documentation annually to the department to verify its licensure-exempt status; except that, under no circumstances shall any private or religious organization elementary or secondary school, a religious organization academic preschool or kindergarten for four- and five-year-old children, a home school, as defined in section 167.031, RSMo, a weekly Sunday or Sabbath school, a vacation Bible school or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization be required to submit documentation annually to the department to verify its licensure-exempt status;

(3) “Person”, any person, firm, corporation, association, institution or other incorporated or unincorporated organization;

(4) “Religious organization”, a church, synagogue or mosque; an entity that has or would qualify for federal tax-exempt status as a nonprofit religious organization under Section 501(c) of the Internal Revenue Code; or an entity whose real estate on which the child-care facility is located is exempt from taxation because it is used for religious purposes.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senator Shields moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Caskey	Cauthorn	Champion
Childers	Clemens	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Klindt
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—28

NAYS—Senators

Bland Bray Coleman Days—4

Absent—Senator Kinder—1

Absent with leave—Senator DePasco—1

On motion of Senator Shields, **CCS** for **SS** for **HS** for **HCS** for **HBs 679** and **396**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 679 and 396

An Act to repeal sections 26.740, 43.500, 43.503, 43.506, 43.521, 43.527, 43.530, 43.540, 43.543, 135.327, 168.071, 192.016, 207.050, 207.060, 208.152, 208.204, 210.025, 210.109, 210.110, 210.115, 210.145, 210.152, 210.160, 210.183, 210.201, 210.211, 210.518, 210.565, 210.760, 210.903, 210.909, 210.922, 210.937, 211.031, 211.032, 211.059, 211.171, 211.181, 211.321, 302.272, 352.400, 402.199, 402.200, 402.205, 402.215, 402.217, 453.020, 453.060, 453.110, 475.024, 491.075, 492.304, 537.046, 630.140, 630.167, 630.170, 630.210, and 660.317, RSMo, and to enact in lieu thereof eighty-four new sections relating to the state foster care and protective services for children, with penalty provisions.

As amended by conference committee report no. 2, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Caskey	Cauthorn	Champion
Childers	Clemens	Coleman	Dolan
Dougherty	Foster	Gibbons	Goode
Griesheimer	Gross	Jacob	Kennedy
Kinder	Klindt	Loudon	Mathewson
Nodler	Quick	Russell	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senators

Bland Bray Days—3

Absent—Senators—None

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 228**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 228

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, as amended;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 228;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 228, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Wayne Goode /s/ David Pearce
/s/ Jim Mathewson /s/ Dennis Wood

/s/ Matt Bartle /s/ Carl Bearden
/s/ Charlie Shields /s/ Chuck Graham
/s/ Sarah H. Steelman /s/ Gina Walsh

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

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Russell—1

Absent with leave—Senator DePasco—1

On motion of Senator Goode, **CCS** for **SCS** for **HS** for **HCS** for **HB 228**, entitled:

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

An Act to amend chapter 407, RSMo, by adding thereto four new sections relating to unsolicited commercial electronic mail, with penalty provisions.

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

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Klindt	Loudon	Mathewson	Nodler
Quick	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—32

NAYS—Senators—None

Absent—Senator Russell—1

Absent with leave—Senator DePasco—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 Gibbons moved that motion lay on the table, which motion prevailed.

Senator Steelman moved that conference committee report no. 3 on **HCS** for **SS** for **SCS** for **SB 36**, as amended, be taken up for adoption, which motion prevailed.

Senator Steelman moved that conference committee report no. 3 be adopted.

Senator Jacob raised the point of order that the conference committee report is out of order and must be rejected in that the conferees exceeded their authority and their jurisdiction by striking from the bill, without first obtaining unanimous consent of both houses as required by the rules, matter dealing with hazardous waste fees and with the burden of proof that had been agreed to and passed by both the House and the Senate. In support of his point of order, Senator Jacob offered the following research memorandum, along with supporting documents, and requested that same be printed in the Journal, which request was granted.

RESEARCH MEMORANDUM

Date: May 15, 2003

From: Alan Kelly

Re: A Conference Committee Report That Does Not Include Matter Agreed to By Both Houses

ISSUE

May a conference committee issue a report that excludes language which was agreed to by both houses?

ANSWER

No. If the conferees issue a report which strikes matter that was agreed to by both houses, a point of order on that issue must be

sustained and the report must be rejected.

SENATE RULES

There is no rule in the Rules of the Missouri Senate which directly addresses this issue, thus, pursuant to Rule 96, our Senate is governed by “the rules laid down in the practice and procedures adopted by the Senate of the United States”.

Rule XXVIII (28) of the Standing Rules of the United States Senate directly addresses the instant question and clearly states the following:

“RULE XXVIII
CONFERENCE COMMITTEES; REPORTS;
OPEN MEETINGS

. . .

2. *Conferences shall not* insert in their report matter not committed to them by either House, nor shall they *strike from the bill matter agreed to by both Houses*. If new matter is inserted in the report, or *if new matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained, the report is rejected* or shall be recommitted to the committee of conference if the House of Representatives has not already acted thereon.” (Emphasis added)

SENATE PRACTICE & PROCEDURE

The practice and procedure of the United States Senate, as set forth in Riddick’s Senate Procedure, is firmly supportive of the statement in Rule 28 that a conference report shall be rejected if it fails to include all language agreed to by both houses. In fact, Riddick’s Senate Procedure clearly states that if the conferees issue a report which fails to include such language, the conferees shall be found to have exceeded their authority and the report shall be rejected. The relevant pages from Riddick’s are attached hereto and include the following passages governing the instant issue:

“*Conference committees are created...to resolve the differences* Riddick’s Senate Procedure, p. 449. (Emphasis added) in the respective versions of any item of legislation which they both pass.”

“*The language of any measure which has been approved by both Houses is never in conference, nor may the conferees amend any part of a bill which has been approved by both Houses. All that goes to conference is the amendment or amendments in disagreement.*” Riddick’s Senate Procedure, p. 450. (Emphasis added)

“*Committees of conference are appointed for the sole purpose of compromising and adjusting the differing and conflicting opinions of the two Houses....Conferees are limited to the consideration of differences between the two Houses.*

Conferees shall not insert in their report matter not committed to them by either House, nor shall they *strike from the bill matter agreed to by both Houses*.” Riddick’s Senate Procedure,

p. 460. (Emphasis added)

“If the Senate disagrees to House amendments and asks for a conference on a bill, *the conferees would have no authority to consider matters not in disagreement.*” Riddick’s Senate Procedure, p. 461. (Emphasis added) “*If conferees exceed their authority with respect to any matter, the report of the conferees is subject to a point of order.* Various points of order have been sustained on grounds that conferees have exceeded their authority.” Riddick’s Senate Procedure, p. 484.

“*There is no doubt that it is the rule that the language which has been agreed upon by both bodies cannot be changed by conferees, and that if changed it is subject to a point of order, and that if the point of order is sustained the conference report fails.* The measure will thereby be recommitted to the committee of conference, if the House had not already agreed to the report.

The text of a measure to which both Houses have agreed may not be changed except by unanimous consent of both Houses.” Riddick’s Senate Procedure, p. 462. (Emphasis added)

Other documents submitted by Senator Jacob, relative to his point of order, are on file in the office of the Secretary of Senate and in the permanent bill folder.

The point of order was referred to the President Pro Tem, who took it under advisement.

Senator Shields assumed the Chair.

Senator Bartle, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 613**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 613

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 613, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 613, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 613;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 613, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Matt Bartle /s/ Richard Byrd
- /s/ Charles Wheeler /s/ Scott A. Lipke
- /s/ Harold Caskey /s/ Marilyn Ruestman
- /s/ Anita Yeckel /s/ Connie Johnson
- /s/ Jon Dolan /s/ Rick Johnson

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

YEAS—Senators

- | | | | |
|----------|------------|----------|-------------|
| Bartle | Bland | Bray | Caskey |
| Cauthorn | Champion | Childers | Clemens |
| Coleman | Days | Dolan | Dougherty |
| Foster | Gibbons | Goode | Griesheimer |
| Gross | Jacob | Kennedy | Kinder |
| Loudon | Mathewson | Nodler | Quick |
| Russell | Scott | Shields | Steelman |
| Vogel | Wheeler—30 | | |

NAYS—Senators—None

Absent—Senators

- Klindt Stoll Yeckel—3

Absent with leave—Senator DePasco—1

On motion of Senator Bartle, CCS for SCS for HCS for HB 613, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 613

An Act to repeal sections 43.530, 50.640, 57.290, 67.133, 210.145, 452.311, 454.505, 455.027, 455.030, 455.504, 455.516, 476.058, 476.340, 476.385, 477.600, 488.032, 488.426, 488.429, 488.2300, 488.4014, 488.5320, 488.5339,

491.280, 494.410, 506.060, 510.120, 511.350, 511.510, 512.180, 513.475, 536.077, 540.011, 540.021, and 577.051, RSMo, and to enact in lieu thereof thirty-two new sections relating to court procedures, with penalty provisions.

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

YEAS—Senators

- | | | | |
|----------|-----------|-------------|-----------|
| Bartle | Bland | Bray | Caskey |
| Cauthorn | Champion | Childers | Clemens |
| Coleman | Days | Dolan | Dougherty |
| Foster | Gibbons | Griesheimer | Gross |
| Jacob | Kennedy | Kinder | Klindt |
| Loudon | Mathewson | Nodler | Quick |
| Russell | Scott | Shields | Steelman |
| Stoll | Vogel | Wheeler | Yeckel—32 |

NAYS—Senators—None

Absent—Senator Goode—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

President Pro Tem Kinder assumed the Chair.

PRIVILEGED MOTIONS

Senator Gross moved that SB 521, with HCS, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for SB 521, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 521

An Act to amend chapter 34, RSMo, by adding thereto six new sections relating to contracts for public works.

Was taken up.

President Maxwell assumed the Chair.

Senator Gross moved that **HCS** for **SB 521** be adopted.

At the request of Senator Gross, the above motion was withdrawn.

HOUSE BILLS ON THIRD READING

HCS for **HB 185**, with **SCS**, entitled:

An Act to amend chapter 210, RSMo, by adding thereto two new sections relating to abducted persons, with a penalty provision.

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

SCS for **HCS** for **HB 185**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 185

An Act to amend chapter 210, RSMo, by adding thereto two new sections relating to missing persons.

Was taken up.

Senator Gross moved that **SCS** for **HCS** for **HB 185** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 185, Page 2, Section 210.1014, Line 12, by inserting at the end of said line the following: “**ten members of which**”; and further amend line 13, by inserting after the word “members” the following: “**shall be**”.

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

Senator Gross moved that **SCS** for **HCS** for **HB 185**, as amended, be adopted, which motion prevailed.

On motion of Senator Gross, **SCS** for **HCS** for

HB 185, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Kennedy	Kinder	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Jacob Klindt—2

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

RESOLUTIONS

Senator Goode offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1032

WHEREAS, the members of the Missouri Senate proudly pause to recognize those special young people who have exemplified the finest qualities of citizenship and leadership by taking an active part in state government; and

WHEREAS, Gregory J. Christian, a student at Truman State University in Kirksville, has distinguished himself as an Intern for the Honorable Wayne Goode, State Senator from the 13th District; and

WHEREAS, Gregory Christian joined the staff of Senator Goode for the First Regular Session of the Ninety-second General Assembly as part of the Missouri State Intern Program at the state capitol in Jefferson City, a program designed to involve college students in the legislative process through active participation; and

WHEREAS, Gregory Christian has experienced the opportunity to observe firsthand the inner workings of state government and has gained valuable insight into the process by which laws are made; and

WHEREAS, Gregory Christian has successfully demonstrated his abilities in the performance of such duties as conducting research, serving as legislative aide and session attendant, helping with constituent services, and assuming various other responsibilities to make the office of Senator Goode run as smoothly as possible; and

WHEREAS, Gregory Christian has earned recognition as a valuable asset to Senator Goode and the entire Missouri Legislature through the application of knowledge and skills acquired prior to his tenure as an Intern and a variety of visible new skills which will be of tremendous value in the job market:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General Assembly, hereby proudly join the Honorable Wayne Goode in commending Gregory Christian for his many important contributions to our State Legislature during the current session, and further extend to him our very best wishes for continued success and happiness in all future endeavors; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Gregory J. Christian, as a measure of our deep gratitude.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SBs 299** and **40**, as amended, and has taken up and passed **CCS** for **HS** for **SCS** for **SBs 299** and **40**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SB 552** and has taken up and passed **SB 552**.

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 **SCS** for **SB 620**.

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 adopted the Conference Committee Report on **HCS** for **SB 394**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 394**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 379** and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 379**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 186** and has taken up and passed **CCS** for **HCS** for **SB 186**.

Bill ordered enrolled.

On motion of Senator Gibbons, the Senate recessed until 12:45 p.m.

RECESS

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

HOUSE BILLS ON THIRD READING

Senator Yeckel moved that **HB 444**, with **SCS**, **SS** for **SCS**, **SS** for **SS** for **SCS**, **SA 1** and **SSA 2** for **SA 1** (pending), be called from the

Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Griesheimer, **SSA 2** for **SA 1** was withdrawn.

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

At the request of Senator Dougherty, **SS** for **SS** for **SCS** for **HB 444** was withdrawn.

Senator Yeckel offered **SS No. 2** for **SS** for **SCS** for **HB 444**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 444

An Act to repeal section 313.835, RSMo, and to enact in lieu thereof one new section relating to distribution of the gaming commission fund.

Senator Yeckel moved that **SS No. 2** for **SS** for **SCS** for **HB 444** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 444, Page 11, Section 313.835, Line 19, by striking the words "and one-half".

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

Senator Yeckel moved that **SS No. 2** for **SS** for **SCS** for **HB 444**, as amended, be adopted, which motion prevailed.

On motion of Senator Yeckel, **SS No. 2** for **SS** for **SCS** for **HB 444**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty

Foster	Gibbons	Goode	Griesheimer
Gross	Jacob	Kennedy	Kinder
Loudon	Mathewson	Nodler	Quick
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Klindt	Russell—2
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

PRIVILEGED MOTIONS

Senator Kinder moved that the Senate request the House to grant further conference on **HS** for **HCS** for **SCS** for **SB 11**, as amended, which motion prevailed.

Senator Bartle, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HB 470**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 470

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, with

Senate Amendments Nos. 2 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, as amended;

2. That the House recede from its position on House Substitute for House Bill No. 470;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 470, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Matt Bartle

/s/ Anita Yeckel

/s/ Jon Dolan

/s/ Charles Wheeler

/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Robert Mayer

/s/ Bryan P. Stevenson

/s/ Jack A. L. Goodman

/s/ Cathy Jolly

/s/ J. C. Kuessner

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

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dougherty	Foster	Gibbons
Goode	Griesheimer	Gross	Jacob
Kennedy	Kinder	Klindt	Loudon
Mathewson	Nodler	Quick	Scott
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senator Bland—1

Absent—Senators

Dolan	Russell—2
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Absent with leave—Senator DePasco—1

On motion of Senator Bartle, **CCS** for **SS** for **SCS** for **HS** for **HB 470**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 470

An Act to repeal section 195.417, and to enact in lieu thereof three new sections relating to products used to produce methamphetamine, with penalty provisions.

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

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Klindt
Loudon	Mathewson	Nodler	Quick
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senator Bland—1

Absent—Senator Russell—1

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Senator Dolan, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 327**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 327

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 327, with Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, and 17, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 327, as amended;

2. That the House recede from its position on House Bill No. 327;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 327, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jon Dolan
/s/ Sarah Steelman
/s/ Charles R. Gross
Steve Stoll
Jim Mathewson

FOR THE HOUSE:

/s/ Scott A. Lipke
/s/ Charles Schlottach
/s/ Larry Crawford
/s/ Thomas P. Green
/s/ Mike Daus

Senator Dolan moved that the above conference committee report be adopted.

Senator Griesheimer offered a substitute motion that the Senate refuse to adopt the conference committee report and request the House to grant the Senate a further conference.

Senator Dolan requested a roll call vote be taken on the substitute motion and was joined in his request by Senators Mathewson, Nodler, Scott and Shields.

The substitute motion failed of adoption by the following vote:

YEAS—Senators

Bland	Bray	Cauthorn	Coleman
Days	Dougherty	Goode	Griesheimer—8

NAYS—Senators

Bartle	Caskey	Champion	Childers
Clemens	Dolan	Foster	Gibbons
Gross	Jacob	Kennedy	Kinder
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman
Stoll	Vogel	Wheeler	Yeckel—24

Absent—Senator Klindt—1

Absent with leave—Senator DePasco—1

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

YEAS—Senators

Bartle	Bray	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Gross	Jacob
Kennedy	Kinder	Loudon	Mathewson
Nodler	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—29			

NAYS—Senators

Bland	Griesheimer—2
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Absent—Senators

Klindt	Quick—2
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Absent with leave—Senator DePasco—1

On motion of Senator Dolan, **CCS** for **SS** for **SCS** for **HB 327**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 327

An Act to repeal sections 137.298, 144.062,

191.831, 226.525, 226.535, 227.120, 238.207, 238.210, 238.215, 238.220, 238.222, 238.235, 238.236, 292.602, 301.010, 301.069, 302.225, 302.272, 302.302, 302.304, 302.309, 302.540, 302.700, 302.725, 302.735, 302.740, 302.755, 302.756, 302.760, 302.775, 304.013, 304.015, 304.035, 304.580, 307.125, 307.127, 307.177, 307.400, 389.610, 390.020, 577.023, 577.041, 577.049, 577.054, and 577.520, RSMo, and section 304.157 as enacted by senate bill no. 17, ninetieth general assembly, first regular session, and to enact in lieu thereof fifty-four new sections relating to transportation, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

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

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Goode	Griesheimer
Gross	Kennedy	Kinder	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Jacob	Klindt—2
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Absent with leave—Senator DePasco—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Childers	Clemens	Coleman
Days	Dolan	Dougherty	Foster
Gibbons	Gross	Kennedy	Kinder
Loudon	Mathewson	Nodler	Quick
Russell	Scott	Shields	Steelman

Stoll	Vogel	Wheeler	Yeckel—28
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NAYS—Senator Griesheimer—1

Absent—Senators

Champion	Goode	Jacob	Klindt—4
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Absent with leave—Senator DePasco—1

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

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

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

PRIVILEGED MOTIONS

Senator Scott moved that **SCS** for **SB 385**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 385**, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 385**

An Act to repeal section 287.310, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation policies.

Was taken up.

Senator Scott moved that **HCS** for **SCS** for **SB 385** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Steelman	Stoll
Vogel	Wheeler	Yeckel—31	

NAYS—Senators—None

Absent—Senators

Dolan Klindt—2

Absent with leave—Senator DePasco—1

On motion of Senator Scott, **HCS for SCS for SB 385** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Coleman	Days	Dolan	Dougherty
Foster	Gibbons	Griesheimer	Gross
Jacob	Kennedy	Kinder	Loudon
Mathewson	Nodler	Quick	Russell
Scott	Shields	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senators—None

Absent—Senators

Goode Klindt Steelman—3

Absent with leave—Senator DePasco—1

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

President Pro Tem Kinder ruled the pending point of order on conference committee report on **HS for SS for SCS for SBs 361, 103, 156 and 329**, as amended, not well taken.

The conference committee report on **HS for SS for SCS for SBs 361, 103, 156 and 329**, as amended, was again taken up.

Senator Steelman moved that the above conference committee report be adopted.

Senator Bartle assumed the Chair.

At the request of Senator Steelman, the above motion was withdrawn.

Senator Kinder moved that the Senate conferees on **HS for HCS for SCS for SB 11**, as amended, be allowed to exceed the differences, which motion prevailed.

President Pro Tem Kinder ruled the pending point of order on the conference committee report no. 3 on **HCS for SS for SCS for SB 36** not well taken.

Conference committee report no. 3 on **HCS for SS for SCS for SB 36** was again taken up.

Senator Steelman moved that the above conference committee report no. 3 be adopted.

At the request of Senator Steelman, the above motion was withdrawn.

President Maxwell assumed the Chair.

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 granted the Senate further conference on **HS for HCS for SCS for SB 11**, as amended and the conferees be allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has reappointed the conferees on **HS for HCS for SCS for SB 11**, as amended. Representatives: Shoemaker, Sutherland, Rupp, Page and Willoughby.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HS for HCS for SCS for SB 11**, as amended: Senators Kinder, Bartle, Vogel, Stoll and Coleman.

PRIVILEGED MOTIONS

Senator Kinder, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 11**, as amended, moved that the following conference committee report no. 3 be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 3
ON HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, with House Amendments Nos. 1, 2, and 3, House Substitute Amendment No. 1 for House Amendment No. 4, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 11;

3. That Conference Committee Amendments Nos. 1 and 2 be adopted;

4. That Conference Committee Substitute No. 2 for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, with Conference Committee Amendments Nos. 1 and 2, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Peter D. Kinder

/s/ Matt Bartle

FOR THE HOUSE:

/s/ Christopher Shoemaker

/s/ Mike Sutherland

/s/ Carl M. Vogel

/s/ Stephen Stoll

/s/ Maida J. Coleman

/s/ Scott Rupp

/s/ Sam Page

/s/ Philip Willoughby

CONFERENCE COMMITTEE AMENDMENT NO. 1

Amend Conference Committee Substitute No. 2 for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 12, Section 137.100, Lines 13-29 of said page, by striking all of said lines; and

Further amend said bill, Page 13, Section 137.100, Lines 1-4 of said page, by striking all of said lines; and further amend by renumbering the remaining subdivisions accordingly; and

Further amend said bill, Page 32, Section 144.030, Line 26 of said page, by striking the semi-colon “;”; and further amend lines 27-29 of said page, by striking all of said lines; and

Further amend said bill, Page 33, Section 144.030, Lines 1-3 of said page, by striking all of said lines and inserting in lieu thereof the following: “.”; and

Further amend said bill, Page 35, Section 144.615, Line 8 of said page, by striking the words “or other transfer”.

CONFERENCE COMMITTEE AMENDMENT NO. 2

Amend Conference Committee Substitute No. 2 for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 6 of said title, by inserting immediately after the word “section” the following: “and an emergency clause for a certain section”; and

Further amend said bill, Page 37, Section 260.830, Line 21 of said page, by inserting after all of said line the following:

“Section B. Because of the need to stimulate economic activity, the enactment of section 144.049 of this act is deemed necessary for the

immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 144.049 of this act shall be in full force and effect upon its passage and approval.”.

Senator Kinder moved that the above conference committee report no. 3 be adopted, which motion prevailed by the following vote:

YEAS—Senators			
Bartle	Bland	Caskey	Cauthorn
Champion	Childers	Clemens	Foster
Gibbons	Griesheimer	Gross	Jacob
Kennedy	Kinder	Loudon	Nodler
Quick	Russell	Scott	Shields
Steelman	Stoll	Vogel	Wheeler
Yeckel—25			

YEAS—Senators			
Bartle	Bland	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Dolan	Foster	Gibbons	Griesheimer
Gross	Jacob	Kennedy	Kinder
Loudon	Nodler	Russell	Scott
Shields	Steelman	Stoll	Vogel
Yeckel—25			

NAYS—Senators			
Bray	Days	Dougherty	Goode
Mathewson	Quick	Wheeler—7	

Absent—Senators—None

Absent with leave—Senators	
DePasco	Klindt—2

The President declared the bill passed.

NAYS—Senators			
Bray	Coleman	Days	Dougherty
Goode	Mathewson—6		

The emergency clause was adopted by the following vote:

Absent—Senators	
Dolan	Klindt—2

YEAS—Senators			
Bartle	Bland	Caskey	Cauthorn
Champion	Childers	Clemens	Coleman
Foster	Gibbons	Griesheimer	Gross
Jacob	Kennedy	Kinder	Loudon
Nodler	Russell	Scott	Shields
Steelman	Stoll	Vogel	Yeckel—24

Absent with leave—Senator DePasco—1

On motion of Senator Kinder, **CCS No. 2** for **HS** for **HCS** for **SCS** for **SB 11**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
NO. 2

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

An Act to repeal sections 34.070, 34.073, 99.820, 137.100, 143.121, 143.181, 144.030, 144.615, and 260.830, RSMo, and to enact in lieu thereof thirteen new sections relating to taxation, with a termination date for a certain section.

As amended by conference committee report no. 3, was read the 3rd time and passed by the following vote:

NAYS—Senators			
Bray	Days	Dougherty	Goode
Mathewson	Quick	Wheeler—7	

Absent—Senator Dolan—1

Absent with leave—Senators	
DePasco	Klindt—2

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

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

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

Senator Nodler, on behalf of the conference

committee appointed to act with a like committee from the House on **SS** for **HB 198**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
HOUSE BILL NO. 198

The Conference Committee appointed on Senate Substitute for House Bill No. 198, with Senate Amendments Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Senate Amendment No. 1 to Senate Amendment No. 13, Senate Amendment No. 13, as amended, and Senate Amendments Nos. 14, 15, 18, 19, 20, 21, 22, 24, 25, and 26, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 198, as amended;
2. That the House recede from its position on House Bill No. 198;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 198, be Third Read and Finally Passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Gary Nodler	/s/ Bryan P. Stevenson
/s/ Matt Bartle	/s/ Scott A. Lipke
/s/ Charlie Shields	/s/ Robert Mayer
/s/ Harold L. Caskey	/s/ Cathy Jolly
/s/ Harry Kennedy	/s/ Russ Carnahan

Senator Nodler moved that the above conference committee report be adopted.

At the request of Senator Nodler, the above motion was withdrawn.

HOUSE BILLS ON THIRD READING

HS for **HB 267**, with **SCS**, entitled:

An Act to repeal sections 49.079, 49.091,

49.095, 49.170, 49.266, 49.267, 49.268, 49.269, 49.273, 49.276, 49.278, 67.1775, and 137.082, RSMo, and to enact in lieu thereof seven new sections relating to county commissions.

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

SCS for **HS** for **HB 267**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 267

An Act to repeal sections 49.091, 49.095, 49.170, 49.266, 49.267, 49.268, 49.269, 49.273, 49.278, 49.370, 49.380, 60.010, and 67.1775, RSMo, and section 150.150 as enacted by house bill no. 1566, eighty-seventh general assembly, second regular session and section 150.150 as enacted by house substitute for house committee substitute for senate bill no. 579, eighty-seventh general assembly, second regular session, and to enact in lieu thereof eight new sections relating to county commissions, with penalty provisions.

Was taken up.

Senator Griesheimer moved that **SCS** for **HS** for **HB 267** be adopted.

Senator Griesheimer offered **SS** for **SCS** for **HS** for **HB 267**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE BILL NO. 267

An Act to repeal sections 49.091, 49.095, 49.170, 49.266, 49.267, 49.268, 49.269, 49.273, 49.278, 49.370, 49.380, 60.010, 67.1775, and 473.730, RSMo, and section 67.399, RSMo, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 67.399, RSMo, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, and

section 150.150 as enacted by house bill no. 1566, eighty-seventh general assembly, second regular session and section 150.150 as enacted by house substitute for house committee substitute for senate bill no. 579, eighty-seventh general assembly, second regular session, and to enact in lieu thereof twelve new sections relating to county commissions, with penalty provisions.

Senator Griesheimer moved that **SS** for **SCS** for **HS** for **HB 267** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 267, Page 6, Section 49.650, Line 2 of said page, by inserting after “wireless” the following: “companies”.

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

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

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 267, Page 5, Section 49.650, Lines 20-23 of said page, by striking all of said lines and inserting in lieu thereof the following: “**resolution, or regulation are opposed to is adoption.**”.

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

Senator Griesheimer offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 267, Page 7, Section 64.907, Line 29, by deleting the word “city” and inserting in lieu thereof the following: “**county**”; and

Further amend said section, page 8, lines 4, 5, 17 and 18, by deleting the word “city” and inserting in line thereof the following: “**county**”.

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

Senator Griesheimer offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 267, Page 14, Section 1, Lines 19-21, by striking all of said lines and inserting in lieu thereof the following: “**manner of preparation of tax bills.**”.

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

Senator Loudon offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 267, Page 2, Section A, Line 10 of said page, by inserting immediately after said line the following:

“49.087. No county pursuant to sections 49.010 to 49.615 shall require that a contractor, subcontractor, material supplier, or carrier engaged in the construction, maintenance, repair, or improvement of any structure be required to execute or otherwise become a party to any project labor agreement, or other agreement with employees, their representatives, or any labor organization as a condition of bidding, negotiating, being awarded, or performing work on said project.”.

Senator Loudon moved that the above amendment be adopted.

Senator Griesheimer raised the point of order that **SA 5** is out of order as it goes beyond the scope and purpose of the bill.

The point of order was referred to the

President Pro Tem.

At the request of Senator Loudon, SA 5 was withdrawn, rendering the point of order moot.

Senator Shields assumed the Chair.

Senator Griesheimer moved that SS for SCS for HS for HB 267, as amended, be adopted, which motion prevailed.

On motion of Senator Griesheimer, SS for SCS for HS for HB 267, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Caskey
Cauthorn	Champion	Childers	Clemens
Days	Dolan	Dougherty	Foster
Gibbons	Goode	Griesheimer	Gross
Jacob	Kennedy	Kinder	Loudon
Mathewson	Nodler	Quick	Russell
Shields	Steelman	Stoll	Vogel
Wheeler	Yeckel—30		

NAYS—Senators—None

Absent—Senator Coleman—1

Absent with leave—Senators

DePasco	Klindt	Scott—3
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The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

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

Committee Report on SS for HB 412, as amended, has taken up and passed CCS for SS for HB 412.

CONFERENCE COMMITTEE REPORTS

Senator Childers, on behalf of the conference committee appointed to act with a like committee from the House on SS for HB 412, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 412

The Conference Committee appointed on Senate Substitute for House Bill No. 412, with Senate Amendments Nos. 2, 4, 6 as amended, 7 as amended, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 412, as amended;
2. That the House recede from its position on House Bill No. 412;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 412, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Doyle Childers	/s/ Jack A. L. Goodman
/s/ Michael R. Gibbons	/s/ Brad Lager
/s/ Anita Yeckel	/s/ Jason Crowell
/s/ Rita Heard Days	/s/ Jim Seigfreid
/s/ Jim Mathewson	/s/ Mark Abel

Senator Childers moved that the above conference committee report be adopted.

At the request of Senator Childers, the above motion was withdrawn.

Senator Goode moved that the conference committee report on HS for SS No. 2 for SB 695, as amended, be taken up, which motion prevailed.

Senator Goode moved that the above conference committee report be adopted.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SB 686**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SB 686**.

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 adopted the Conference Committee Report on **HS** for **HCS** for **SS No. 2** for **SCS** for **SBs 248, 100, 118, 233, 247, 341** and **420**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SS No. 2** for **SCS** for **SBs 248, 100, 118, 233, 247, 341** and **420**.

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 adopted the Conference Committee Report on **HCS** for **SB 39**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 39**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 675**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 675**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has defeated the Conference Committee Report on **SCS** for **HCS** for **HB 688**, as amended, and has taken up and adopted **SCS**, as amended, for **HCS** for **HB 688** and has taken up and passed **SCS** for **HCS** for **HB 688**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SS** for **SCS** for **SB 280**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HB 445** and has taken up and passed **SCS** for **HB 445**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS**, as amended, for **HS** for **HCS** for **HB 257** and has taken up and passed **SS** for **SCS** for **HS** for **HCS** for **HB 257**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SS** for **SCS**, as amended, for **HB 444** and has taken up and passed **SS No. 2** for **SS** for **SCS** for **HB 444**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 21**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 3 on **HS** for **HCS** for **SCS** for **SB 11**, as amended, and has taken up and passed **CCS No. 2** for **HS** for **HCS** for **SCS** for **SB 11**, as amended by Conference Committee Amendments Nos. 1 and 2.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS**, as amended, for **HS** for **HB 267** and has taken up and passed **SS** for **SCS** for **HS** for **HB 267**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 185** and has taken up and passed **SCS** for **HCS** for **HB 185**, as amended.

RESOLUTIONS

Senator Cauthorn offered Senate Resolution No. 1033, regarding Amanda Daggs, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1034, regarding Lesley Lehenbauer, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1035, regarding Matthew Crowell, which was adopted.

Senator Vogel offered Senate Resolution No. 1036, regarding James J. "Jeff" Clements, Jefferson City, which was adopted.

Senator Kinder offered Senate Resolution No. 1037, regarding Alan Kent Lipke, Jackson, which was adopted.

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 15, 2003

TO THE SECRETARY OF THE SENATE

92nd GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 238 entitled:

AN ACT

To repeal sections 72.080 and 72.130, RSMo, and to enact in lieu thereof two new sections relating to incorporation of cities, with an emergency clause.

On May 15, 2003, I approved said Senate Committee Substitute for Senate Bill No. 238.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 15, 2003

TO THE SECRETARY OF THE SENATE

92nd GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 269 entitled:

AN ACT

To amend chapter 67, RSMo, by adding thereto one new section relating to a city sales tax for public safety, with an emergency clause.

On May 15, 2003, I approved said Senate Committee Substitute for Senate Bill No. 269.

Respectfully submitted,

BOB HOLDEN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 15, 2003

TO THE SECRETARY OF THE SENATE

92nd GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Bill No. 456 entitled:

AN ACT

To repeal section 87.182, RSMo, and to enact in lieu thereof one new section relating to firemen's retirement systems, with an emergency clause.

On May 15, 2003, I approved said Senate Bill No. 456.

Respectfully submitted,

BOB HOLDEN

Governor

INTRODUCTIONS OF GUESTS

Senator Kinder introduced to the Senate, his nephew, Will Kinder, and his nieces, Paige and Emilia Kinder, Cape Girardeau; and Will, Paige, and Emilia were made honorary pages.

Senator Jacob introduced to the Senate, the Physician of the Day, Dr. Jerry Kennett, M.D., Columbia.

On motion of Senator Gibbons, the Senate adjourned until 1:00 p.m., Wednesday, May 21, 2003.

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