

# Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SEVENTH DAY—FRIDAY, MAY 7, 2004

The Senate met pursuant to adjournment.

President Pro Tem Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Not that God grows through our praises, but that we do.” (St. Augustine)

Almighty God, as we complete this week, we do so knowing that You have helped us all along the way and we give You praise. We see the blessings of all that lies before us in Your granting us time for our work, time with our families and time with You, our God. May we continue to grow in freedom to act, in love to giving ourselves away and in laughter from the utter joy of Your presence. 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 KOMU-TV 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	Callahan
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—34		

Absent with leave—Senators—None

The Lieutenant Governor was present.

Senator Shields assumed the Chair.

## RESOLUTIONS

Senators Bartle and Wheeler offered Senate Resolution No. 1912, regarding Rena A. Duewel, Shawnee, Kansas, which was adopted.

Senator Bartle offered Senate Resolution No. 1913, regarding Dianne Odell, Lee’s Summit, which was adopted.

Senator Bartle offered Senate Resolution No. 1914, regarding Carole Marie Rose, Grandview, which was adopted.

Senator Bartle offered Senate Resolution No. 1915, regarding Lee’s Summit Community Christian School, which was adopted.

Senator Yeckel offered Senate Resolution No. 1916, regarding Kyle David Kraft, St. Louis, which was adopted.

Senator Kennedy offered Senate Resolution No. 1917, regarding Nancy Lieberman, St. Louis, which was adopted.

**CONCURRENT RESOLUTIONS**

Senator Kinder moved that **SCR 51**, entitled:

An Act relating to recognition of the Ellis Fischel Cancer Center.

Be taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Kinder, **SCR 51** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dolan	Quick—2
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Absent with leave—Senators—None

The President declared the concurrent resolution passed.

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

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

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

Senator Bartle assumed the Chair.

**REFERRALS**

President Pro Tem Kinder referred **HS** for

**HCS** for **HB 1195**, with **SCS**; **HCS** for **HB 1277**, with **SCS**; and **HS** for **HCS** for **HB 1433** to the Committee on Governmental Accountability and Fiscal Oversight.

**CONCURRENT RESOLUTIONS**

Senator Nodler moved that **SCR 49** be taken up for adoption, which motion prevailed.

President Maxwell assumed the Chair.

Senator Nodler moved that **SCR 49** be adopted.

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

Senator Dougherty moved that **SCR 45**, entitled:

An Act relating to the designation of April as “Literacy Month” in Missouri.

Be taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Dougherty, **SCR 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Bland	Klindt	Quick	Steelman—4
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Absent with leave—Senators—None

The President declared the concurrent resolution passed.

On motion of Senator Dougherty, title to the concurrent resolution was agreed to.

Senator Dougherty moved that the vote by

which the concurrent resolution passed be reconsidered.

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

Senator Shields moved that **SCR 50** be taken up for adoption, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 50, appearing on Page 1236 of the Senate Journal for Tuesday, May 4, 2004, Column 1, Line 30 of said column, by striking "of each year" and inserting in lieu thereof the following: "2004"; and further amend line 34 of said column, by inserting immediately after the word "for" for the following: "President George W. Bush, Secretary of State Colin Powell, Secretary of Health and Human Services Tommy Thompson, the Taipei Economic and Cultural Office in Kansas City, Missouri and".

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

On motion of Senator Shields, **SCR 50**, as amended, was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Quick—1

Absent with leave—Senators—None

Senator Childers moved that **HCR 21**, with **SCS**, be taken up for adoption, which motion prevailed.

**SCS** for **HCR 21** was taken up.

Senator Childers moved that **SCS** for **HCR 21** be adopted, which motion prevailed.

On motion of Senator Childers, **HCR 21**, as amended by the **SCS**, was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Bartle Quick—2

Absent with leave—Senators—None

**HCR 12**, introduced by Representative Kelly (36), entitled:

An Act relating to the designation of Miss Missouri as an official hostess of the State of Missouri.

Was taken up for 3rd reading and final passage by Senator Mathewson.

On motion of Senator Mathewson, **HCR 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	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—Senators

Coleman Goode—2

Absent with leave—Senators—None

The President declared the concurrent resolution passed.

On motion of Senator Mathewson, title to the concurrent resolution was agreed to.

Senator Mathewson moved that the vote by which the concurrent resolution passed be reconsidered.

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

Senator Klindt moved that **HCR 10** be taken up for adoption, which motion prevailed.

On motion of Senator Klindt, **HCR 10** was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dougherty	Goode	Jacob	Russell—4
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Absent with leave—Senators—None

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 1259**, entitled:

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to temporary boater education permits.

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 1299**, entitled:

An Act to repeal sections 375.772, 375.773, 375.774, 375.775, 375.776, 375.778, 375.779, 379.110, 379.815, 379.825, 384.043, 384.062, and 384.065, RSMo, and to enact in lieu thereof thirteen new sections relating to residential property insurance.

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 Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS for HB 1617**, as amended. Representatives: Hanaway, Lipke, Ruestman, Burnett and Carnahan.

### HOUSE BILLS ON THIRD READING

Senator Bartle moved that **HB 969**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Goode offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1  
FOR SENATE AMENDMENT NO. 1

Amend House Bill No. 969, page 4, Section 143.435, Line 46, by inserting after the word “costs” as it appears the second time on said line the following: “**paid by the corporation to the related entity for each transaction**”; and further amend Line 47, by inserting after the word “are” the following: “**the lesser of an amount which is, on average, equal to or less than the amounts paid by persons that are not related entities to the related entity for each similar transaction,**

or an amount which is”; and further amend Line 48, by striking said line and inserting in lieu thereof the following: **“an independent appraisal or other evidence, that the related entity receives at least five percent of its federal adjusted gross income from similar transactions with persons that are not related entities, and that all of the following”**; and further amend Line 49, by striking the following: “facts with respect to a”; and inserting in lieu thereof the following: **“facts exist with respect to the”**; and further amend Line 55, by inserting after “(c)” the following: **“More than fifty percent of the”**; and further amend Lines 56 and 57, by striking said lines and inserting in lieu thereof the following: **“is retained and invested by the related entity with persons that are not related entities and is not paid to the corporation or related entities as dividends;”**; and further amend Line 59, by striking said line and inserting in lieu thereof the following: **“entity are paid for by the related entity, at least ten percent of such expenses are paid to persons that are not related entities, and to the extent such services are provided by the”**.

Senator Goode requested unanimous consent of the Senate to allow Senator Mathewson to be recognized to handle **SSA 1** for **SA 1** in his absence, which request was granted.

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

Senator Caskey offered **SA 2**:

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 969, Page 4, Section 143.435, Line 72, by inserting after all of said line the following:

“324.010. All governmental entities issuing professional licenses, certificates, registrations, or permits pursuant to sections 209.319 to 209.339, RSMo, sections 214.270 to 214.516, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, sections 436.005 to 436.071, RSMo, and chapter 317, RSMo, and chapters 324 to 346, RSMo, shall provide the director of

revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be [revoked] **suspended** within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. **The director of revenue shall, within ten business days of notification to the governmental entity issuing the professional license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied.** Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.”; and

Further amend the title and enacting clause accordingly.

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

Senator Vogel offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 969, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“137.078. 1. For purposes of this section, the following terms shall mean:**

(1) **“Analog equipment”**, all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows and commercials through the use of analog technology;

(2) **“Applicable analog fraction”**, a fraction,

the numerator of which is the total number of analog television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable analog fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(3) “Applicable digital fraction”, a fraction, the numerator of which is the total number of digital television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable digital fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(4) “Applicable analog percentage”, the following percentages for the following years:

Year of Acquisition	Tax Year 2004	Tax Year 2005	Tax Year 2006	Tax Year 2007
2006				1%
2005			25%	1%
2004		50%	25%	1%
2003	75%	50%	25%	1%
2002	75%	50%	25%	1%
2001	75%	50%	25%	1%
2000	75%	50%	25%	1%
1999	75%	50%	25%	1%
1998	75%	50%	25%	1%
Prior	75%	50%	25%	1%

(5) “Digital equipment”, all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows and commercials through the

use of digital technology;

(6) “Television broadcasters”, all businesses that own, lease, or operate television broadcasting stations that transmit television shows and commercials and that are required to be licensed by the Federal Communications Commission to provide such services;

(7) “Television broadcasting equipment”, both analog equipment and digital equipment.

2. For purposes of assessing all items of television broadcasting equipment that are owned and used by television broadcasters for purposes of broadcasting television shows and commercials:

(1) The true value in money of all analog equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (1) of subsection 3 of this section and multiplying the results by the applicable analog percentage. The results of the second computation is multiplied by the applicable analog fraction to determine the true value in money of the analog equipment; and

(2) The true value in money of all digital equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (2) of subsection 3 of this section and multiplying the results by the applicable digital fraction to determine the true value in money of the digital equipment.

3. For purposes of subsection 2 of this section, the depreciation tables for determining the fair value in money of television broadcasting equipment are as follows:

(1) For analog equipment, the following depreciation tables will apply for the following years:

Year of Acquisition	Tax Year 2004	Tax Year 2005	Tax Year 2006	Tax Year 2007
2006				65%

<b>2005</b>		<b>65%</b>	<b>45%</b>	
<b>2004</b>		<b>65%</b>	<b>45%</b>	<b>30%</b>
<b>2003</b>	<b>65%</b>	<b>45%</b>	<b>30%</b>	<b>20%</b>
<b>2002</b>	<b>45%</b>	<b>30%</b>	<b>20%</b>	<b>10%</b>
<b>2001</b>	<b>30%</b>	<b>20%</b>	<b>10%</b>	<b>5%</b>
<b>2000</b>	<b>20%</b>	<b>10%</b>	<b>5%</b>	<b>5%</b>
<b>1999</b>	<b>10%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>
<b>1998</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>
<b>Prior</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>

(2) For digital equipment, the following depreciation tables will apply for the following years:

	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Year of Acquisition	Tax Year	Tax Year	Tax Year	Tax Year
<b>2006</b>				<b>65%</b>
<b>2005</b>			<b>65%</b>	<b>45%</b>
<b>2004</b>		<b>65%</b>	<b>45%</b>	<b>30%</b>
<b>2003</b>	<b>65%</b>	<b>45%</b>	<b>30%</b>	<b>20%</b>
<b>2002</b>	<b>45%</b>	<b>30%</b>	<b>20%</b>	<b>10%</b>
<b>2001</b>	<b>30%</b>	<b>20%</b>	<b>10%</b>	<b>5%</b>
<b>2000</b>	<b>20%</b>	<b>10%</b>	<b>5%</b>	<b>5%</b>
<b>1999</b>	<b>10%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>
<b>1998</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>
<b>Prior</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>

at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer,

137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property

computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word “comparable” means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and

aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county

collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the

assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank for its service.

15. The provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2003, for any taxing jurisdiction which has at least seventy-five percent of the land area of such jurisdiction within a

county with a charter form of government with greater than one million inhabitants, and the provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, shall become effective January 1, 2005, for all taxing jurisdictions in this state. Any county in this state may, by an affirmative vote of the governing body of such county, opt into the provisions of this act prior to January 1, 2005.”; and

Further amend said bill, section 143.435, page 4, line 72, by inserting after all of said line the following:

“Section B. Section 137.078 shall become effective January 1, 2005.”; and

Further amend the title and enacting clause accordingly.

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

Senator Bartle moved that **HB 969**, as amended, be read the 3rd time and finally passed.

Senator Bartle was recognized to close.

At the request of Senator Gibbons, **HB 969**, as amended, was referred to the Committee on Governmental Accountability and Fiscal Oversight.

**PRIVILEGED MOTIONS**

Senator Klindt moved that **SCS** for **SB 1091**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 1091**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 1091

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to community colleges.

Was taken up.

Senator Klindt moved that **HCS** for **SCS** for **SB 1091** be adopted, which motion prevailed by the following vote:

YEAS—Senators  
Bartle Bland Callahan Caskey  
Cauthorn Champion Childers Clemens  
Days Dolan Foster Gibbons  
Goode Griesheimer Gross Kennedy  
Kinder Klindt Loudon Mathewson  
Nodler Russell Scott Shields  
Steelman Stoll Vogel Wheeler  
Yeckel—29

NAYS—Senators—None

Absent—Senators  
Bray Coleman Dougherty Jacob  
Quick—5

Absent with leave—Senators—None

On motion of Senator Klindt, **HCS** for **SCS** for **SB 1091** was read the 3rd time and passed by the following vote:

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

NAYS—Senators—None

Absent—Senators  
Bland Dolan Dougherty Jacob—4

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Klindt 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 **SCS** for **SB 757**, with **HCA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCA 1** was taken up.

Senator Shields moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Dougherty	Goode	Jacob—3
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Absent with leave—Senators—None

On motion of Senator Shields, **SCS** for **SB 757**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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.

Bill ordered enrolled.

Senator Griesheimer moved that **SB 824**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 824**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 824

An Act to repeal section 301.390, RSMo, and to enact in lieu thereof one new section relating to seizure of motor vehicles with altered or missing identification numbers, with penalty provisions.

Was taken up.

Senator Griesheimer moved that **HCS** for **SB 824** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

On motion of Senator Griesheimer, **HCS** for **SB 824** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Klindt moved that **SB 884**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 884**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 884

An Act to amend chapter 3, RSMo, by adding thereto one new section relating to the duties of the revisor of statutes.

Was taken up.

Senator Klindt moved that **HCS** for **SB 884** be adopted.

At the request of Senator Klindt, the above motion was withdrawn, which placed the bill back on the Calendar.

Senator Gibbons moved that **SS** for **SCS** for **SB 960**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 960**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 960

An Act to repeal sections 137.073 and 137.115, RSMo, and to enact in lieu thereof four new sections relating to property tax reassessment, with an effective date for a certain section.

Was taken up.

Senator Gibbons moved that **HCS** for **SS** for **SCS** for **SB 960**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	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—Senator Coleman—1

Absent with leave—Senators—None

On motion of Senator Gibbons, **HCS** for **SS** for **SCS** for **SB 960**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	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—Senator Coleman—1

Absent with leave—Senators—None

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

Bill ordered enrolled.

Senator Kinder moved that the Senate recede from its position on **SCS** for **HCS** for **HBs 1074** and **1129**, which motion prevailed.

On motion of Senator Kinder, **HCS** for **HBs 1074** and **1129** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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 Wheeler moved that **SB 1242**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 1242**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1242

An Act to repeal sections 169.270, 169.291, 169.295, 169.311, 169.313, 169.322, 169.324, and 169.328, RSMo, and to enact in lieu thereof seven new sections relating to school employee retirement.

Was taken up.

Senator Wheeler moved that **HCS** for **SB 1242** be adopted, which motion prevailed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Kennedy—1

Absent with leave—Senators—None

On motion of Senator Wheeler, **HCS** for **SB 1242** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	Days	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—Senators

Coleman Dolan—2

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Wheeler 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.

**HOUSE BILLS ON THIRD READING**

Senator Wheeler moved that **HB 975** be called from the Consent Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Wheeler, **HB 975** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Coleman	Scott—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

**HB 1377**, introduced by Representative

Sutherland, et al, entitled:

An Act to repeal sections 64.520 and 64.805, RSMo, and to enact in lieu thereof two new sections relating to expenses of county planning commissions.

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

On motion of Senator Griesheimer, **HB 1377** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Coleman	Scott—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

**HB 1398**, introduced by Representative Lager, entitled:

An Act to repeal sections 95.280 and 95.285, RSMo, and to enact in lieu thereof two new sections relating to depositaries for city funds, with penalty provisions.

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

On motion of Senator Klindt, **HB 1398** was

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Coleman	Scott—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

**HB 1407**, introduced by Representatives Mayer and Villa, entitled:

An Act to amend chapter 479, RSMo, by adding thereto one new section relating to adjudication of certain municipal code violations.

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

On motion of Senator Dolan, **HB 1407** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	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—Senators

Coleman	Goode—2
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Absent with leave—Senators—None

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.

**HB 1494**, introduced by Representative Ervin, entitled:

An Act to repeal section 67.797, RSMo, and to enact in lieu thereof one new section relating to boards of directors for regional recreational districts.

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

On motion of Senator Quick, **HB 1494** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bland	Bray	Callahan
Caskey	Cauthorn	Champion	Childers
Clemens	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—Senators

Coleman	Goode—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Quick 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 **SS** for **SCS** for **SB 1081**, with **HS** for **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HS** for **HCS** for **SS** for **SCS** for **SB 1081**, as amended, entitled:

HOUSE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 1081

An Act to amend chapter 431, RSMo, by adding thereto eight new sections relating to resolution of disputes concerning alleged defective residential construction.

Was taken up.

Senator Kinder moved that **HS** for **HCS** for **SS** for **SCS** for **SB 1081**, as amended, be adopted.

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

Senator Kinder moved that the Senate refuse to concur in **HS** for **HCS** for **SS** for **SCS** for **SB 1081**, as amended, and request the House to recede from its position or failing to do so grant the Senate a conference thereon and that the conferees be allowed to exceed the differences, which motion prevailed.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 1106** and grants the Senate a

conference thereon; further that the House conferees are allowed to exceed the differences to correct an intersectional reference.

Also,

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 **HCS** for **SCS** for **SB 1106**, as amended. Representatives: Schaaf, Johnson 47, Guest, Wildberger and Skaggs.

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 No. 2** for **SB 762**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SCS No. 2** for **SB 762**, as amended. Representatives: Hanaway, Stevenson, Wright, Riback Wilson (25) and Bishop.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS**, as amended, for **HCS** for **HB 1055** 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 **SB 1249**.

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 1250**.

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 1253**.

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 952**.

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 1285**.

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 1302**.

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 **SCS** for **SB 1304**.

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 1320**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has adopted **SCS** for **HB 938** and has taken up and passed **SCS** for **HB 938**.

Emergency clause defeated.

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 1290** and has taken up and passed **SCS** for **HS** for **HCS** for **HB 1290**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 822** and has taken up and passed **SCS** for **HB 822**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1321** and has taken up and passed **SCS** for **HCS** for **HB 1321**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1456** and **HB 824** and has taken up and passed **SCS** for **HCS** for **HB 1456** and **HB 824**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1136** and has taken up and passed **SCS** for **HCS** for **HB 1136**.

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 1613**, **HB 1445**, **HB 1454**, **HB 1462**, **HCS** for **HB 1471**, **HB 1608**, **HB 1612** and **HB 1635** and has taken

up and passed **SCS** for **HB 1613**, **HB 1445**, **HB 1454**, **HB 1462**, **HCS** for **HB 1471**, **HB 1608**, **HB 1612** and **HB 1635**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HS** for **HB 1021** and has taken up and passed **SS** for **SCS** for **HS** for **HB 1021**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 1217** and has taken up and passed **SCS** for **HB 1217**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1253** and has taken up and passed **SCS** for **HCS** for **HB 1253**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1660** and has taken up and passed **SCS** for **HCS** for **HB 1660**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 1634** and has taken up and passed **SCS** for **HB 1634**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 1440** and has taken up and passed **SCS** for **HB 1440**.

Also,

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

House has adopted **SCS** for **HB 960** and has taken up and passed **SCS** for **HB 960**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 1029**, **HB 1438** and **HB 1610** and has taken up and passed **SCS** for **HB 1029**, **HB 1438** and **HB 1610**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 826** and **HCS** for **HB 883** and has taken up and passed **SCS** for **HB 826** and **HCS** for **HB 883**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 928**, **HCS** for **HB 1123** and **HCS** for **HB 1280** and has taken up and passed **SCS** for **HCS** for **HB 928**, **HCS** for **HB 1123** and **HCS** for **HB 1280**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 798** and has taken up and passed **SCS** for **HCS** for **HB 798**.

#### 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 No. 2** for **SB 762**, as amended: Senators Champion, Shields, Steelman, Dougherty and Wheeler.

President Pro Tem Kinder appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 1106**: Senators Shields, Bartle, Scott, Caskey and Stoll.

#### REPORTS OF STANDING COMMITTEES

Senator Cauthorn, Chairman of the Committee on Governmental Accountability and Fiscal

Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HS** for **HB 1409**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

**INTRODUCTIONS OF GUESTS**

Senator Klindt introduced to the Senate, Matthew Barnett, Maryville; and Matthew was made an honorary page.

Senator Champion introduced to the Senate, Debbie and Riley Shantz, Springfield.

Senator Gibbons introduced to the Senate, Joe and Cynthia Staffa and their children, Samuel, Peter, Isabella and Gracie Lee, Des Peres; and Peter, Samuel and Isabella were made honorary pages.

On motion of Senator Gibbons, the Senate adjourned until 10:00 a.m., Monday, May 10, 2004.

SENATE CALENDAR

SIXTY-EIGHTH DAY—MONDAY, MAY 10, 2004  
Unofficial  
FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SBs 1221 & 1305-  
Kinder (In Fiscal Oversight)

Journal  
SENATE BILLS FOR PERFECTION

SB 1185-Gross

HOUSE BILLS ON THIRD READING

- |   |  |
|---|--|
| 1. HS for HB 1409-Dempsey, with SCS (Mathewson)                           | 8. HCS for HB 1277, with SCS (Steelman) (In Fiscal Oversight)    |
| 2. HS for HCS for HJR 39, 38, 42 & 47-Engler (Steelman)                   | 9. HCS for HBs 1286 & 1175, with SCS (Steelman)                  |
| 3. HCS for HB 1093 (Kinder)   | 10. HB 956-May (149) (Steelman)                                  |
| 4. HS for HCS for HB 1195-Behnen, with SCS (Yeckel) (In Fiscal Oversight) | 11. HCS for HBs 1098 & 949 (Childers)                            |
| 5. HCS for HB 955 (Yeckel)  | 12. HS for HB 1599-Ervin, with SCS                               |
| 6. HB 1665-Hanaway, et al, with SCS (Scott)                               | 13. HS for HCS for HB 1150-May, with SCS (Scott)                 |
| 7. HB 841-Angst, with SCS (Steelman)                                      | 14. HS for HCS for HB 1433-Wood (Childers) (In Fiscal Oversight) |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

SB 728-Steel­man, with SCS	SB 1124-Goode and Steel­man, with SCS
SB 735-Foster, et al, with SCS	SB 1128-Cauthorn, with SCS
SBs 738 & 790-Loudon, with SCS & SS for SCS (pending)	SB 1132-Steel­man, et al, with SCS
SS for SS for SCS for SB 755-Shields	SB 1138-Bartle
SBs 774 & 915-Wheeler, with SCS	SB 1159-Foster and Dougherty
SB 787-Childers, with SCS, SA 1 & SSA 1 for SA 1 (pending)	SB 1180-Shields and Kinder, with SCS
SB 809-Klindt, with SCS, SS for SCS & SA 2 (pending)	SB 1198-Russell, with SCA 1
SB 817-Kennedy and Griesheimer, with SCS	SB 1213-Steel­man and Gross, with SCS
SB 856-Loudon, with SCS, SS for SCS, SS for SS for SCS, SA 2 & SSA 1 for SA 2 (pending)	SB 1227-Russell, et al, with SCS
SB 906-Foster, with SCS, SS for SCS & SA 2 (pending)	SB 1232-Clemens, et al, with SCS (pending)
SBs 908 & 719-Cauthorn, with SCS	SB 1234-Mathewson and Childers, with SCS, SS for SCS, SA 4 & point of order (pending)
SB 933-Yeckel, et al	SB 1254-Klindt, with SCS
SB 989-Gross, et al, with SCS (pending)	SB 1277-Yeckel, with SCS
SB 990-Loudon, with SCS	SBs 1332 & 1341-Caskey and Mathewson, with SCS
SB 1037-Steel­man and Stoll, with SCS	SB 1355-Days
SBs 1069, 1068, 1025, 1005 & 1089-Gross and Griesheimer, with SCS, SS for SCS, SA 2 & SA 2 to SA 2 (pending)	SB 1366-Yeckel, with SCS
	SJR 24-Caskey and Bartle, with SCS
	SJR 25-Yeckel
	SJR 26-Yeckel
	SJR 40-Stoll
	SJR 41-Kinder, et al, with SCS

## HOUSE BILLS ON THIRD READING

HCS for HB 898, with SCS (Shields)	HCS for HB 1278, with SCS (Loudon)
HCS for HBs 946, 1106 & 952, with SCS (Dolan)	HCS for HB 1439 (Dolan)
HB 969-Cooper, et al, (Bartle) (In Fiscal Oversight)	HS for HCS for HB 1453-Hanaway, with SCS (Shields)
HCS for HB 980, with SS (pending) (Klindt)	HB 1493-Emery, et al, with SCS & SA 3 (pending) (Steel­man)
HCS for HB 1115 (Gross)	HS for HCS for HB 1566-Stefanick, with SCS, SS for SCS, SS for SS for SCS, SA 1 & SSA 2 for SA 1 (pending) (Cauthorn)
HCS for HB 1182, with SCS & SS for SCS (pending) (Klindt)	
HCS for HB 1209 (Kinder)	
HS for HCS for HBs 1268 & 1211-Smith (118), with SCS, SS for SCS & SS for SS for SCS (pending) (Loudon)	

CONSENT CALENDAR

Senate Bills

Reported 2/9

SB 741-Klindt

Reported 3/15

SB 1189-Scott, with SCS

House Bills

Reported 4/14

HB 1603-Lager (Klindt)

HCS for HBs 1529 & 1655 (Griesheimer)

HCS for HB 1422 (Cauthorn)

HCS for HB 1171 (Klindt)

HB 1259-Threlkeld (Griesheimer)

HCS for HB 1198 (Loudon)

HB 1502-Wilson (42), et al (Wheeler)

HB 1572-St. Onge, et al (Loudon)

HCS for HB 1614 (Steelman)

HB 884-Ward (Loudon)

HCS for HB 1233 (Griesheimer)

HCS for HB 1090 (Quick)

HB 1508-Baker (Bartle)

HB 1444-Moore, et al (Vogel)

HCS for HB 988 (Bartle)

Journal

Reported 4/15

HB 1317-Kingery, et al (Gibbons)

HCS for HB 1405 (Callahan)

HB 1114-Skaggs (Loudon)

HB 1167-Kelly (144), et al (Clemens)

HCS for HB 1284 (Dolan)

HCS for HB 912 (Goode)

HCS for HB 1449 (Vogel)

HB 1149-May, et al (Steelman)

HB 1442-Lipke, et al (Kinder)

HCS for HB 1179 (Days)

HCS for HBs 1631 & 1623 (Champion)

HB 904-Luetkemeyer (Vogel)

HB 1427-Portwood (Wheeler)

HB 994-Cunningham (145), et al (Scott)

HB 869-Townley, et al (Caskey)

HB 1048-Parker, et al (Klindt)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 884-Klindt, with HCS

SB 932-Loudon, with HS, as amended

SB 1259-Childers, with HCS

SB 1299-Loudon, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

SB 739-Klindt, with HCS, as amended  
SCS#2 for SB 762-Champion, with HS for  
HCS, as amended  
SS for SCS for SB 1099-Gibbons, with HS  
for HCS, as amended  
SCS for SB 1106-Shields, with HCS  
HCS for HBs 795, 972, 1128 & 1161, with  
SS for SCS, as amended (Childers)

HCS for HB 959, with SCS, as amended (Yeckel)  
HS for HCS for HB 978-Baker, with SS,  
as amended (Yeckel)  
HCS for HB 1305, with SCS, as amended (Scott)  
HCS for HB 1617, with SSA 1 for SA 1 (Bartle)

Requests to Recede or Grant Conference

SS for SCS for SB 1081-Kinder, et al,  
with HS for HCS, as amended (Senate  
requests House recede or grant conference)

HCS for HB 1055, with SS, as amended (Vogel)  
(House requests Senate recede or  
grant conference)

RESOLUTIONS

Reported from Committee

SCR 46-Gross  
SCR 49-Nodler

SR 1877-Dougherty

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