

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, MARCH 1, 2005

The Senate met pursuant to adjournment.

Absent with leave—Senators—None

Senator Ridgeway in the Chair.

Vacancies—2

Reverend Carl Gauck offered the following prayer:

The Lieutenant Governor was present.

Gracious God, You created us with many abilities and talents different from each other so that together our gifts compliment and supplement each other as we use them to frame and refine the many bills that are before us. Keep us aware of our differences yet see them as useful in the process of legislating the many and diverse issues facing us this session. In Your Holy Name we pray. Amen

Unofficial **RESOLUTIONS**

Senator Taylor offered Senate Resolution No. 475, regarding Delaney Sweeney, Souder, which was adopted.

The Pledge of Allegiance to the Flag was recited.

Senator Taylor offered Senate Resolution No. 476, regarding William “Ron” Jennings, Verona, which was adopted.

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

Senator Crowell offered Senate Resolution No. 477, regarding Gene Ditto, East Prairie, which was adopted.

The Journal of the previous day was read and approved.

Senator Crowell offered Senate Resolution No. 478, regarding Kathie Simpkins, East Prairie, which was adopted.

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

Senator Crowell offered Senate Resolution No. 479, regarding the Petal Shoppe, East Prairie, which was adopted.

Present—Senators

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

Senator Crowell offered Senate Resolution No. 480, regarding Tyler Flaker, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 481, regarding Traci Jackson, Sikeston, which was adopted.

CONCURRENT RESOLUTIONS

Senator Loudon offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, musculoskeletal conditions are responsible for approximately 50 percent of all health-related military disability discharges and the most common non-traumatic cause of functional impairment during military operations; and

WHEREAS, chiropractic services often are used to treat musculoskeletal conditions, and Congress established chiropractic benefits and services for both active duty military within the U.S. Department of Defense and for veterans within the Veterans' Affairs health care systems; and

WHEREAS, doctors of chiropractic practice are in nearly 50 military treatment facilities, primarily testing musculoskeletal conditions and slowly are being added to the VA health care system; and

WHEREAS, there currently is no enterprise coordinating and guiding collaborative research efforts between preeminent chiropractic colleges, scientists, and the military researchers to address the primary questions surrounding integration of chiropractic into military health care environments; and

WHEREAS, to meet this need and to establish a robust, collaborative, national chiropractic military research agenda, Logan College of Chiropractic and the Samuelli Institute are proposing a partnership to create a new consortial Chiropractic Center for Military Research; and

WHEREAS, the center will be located on the Chesterfield, Missouri, campus of Logan College, with research operations conducted by the Samuelli Institute, Alexandria, Virginia; and

WHEREAS, the center will conduct scientifically rigorous research on the application of chiropractic manipulation in the military, including what subpopulations and environments realize the most benefit and how chiropractic can best integrate into the military health care team; and

WHEREAS, the center will facilitate development of research capacity in the area of musculoskeletal conditions by linking scientists at chiropractic educational institutions with scientists in the military and at the Samuelli Institute; and

WHEREAS, the center will focus special, priority consideration on those musculoskeletal conditions that are affecting those active duty military and veterans participating in or returning from combat in Afghanistan and Iraq, including the role of chiropractic manipulation in the total care of those with amputations and prosthetics:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First

Regular Session, the House of Representatives concurring therein, urge the United States Congress to consider establishing the Chiropractic Center for Military Research at Logan College of Chiropractic; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri Congressional delegation.

Senator Griesheimer assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 484—By Stouffer.

An Act to repeal section 321.220, RSMo, and to enact in lieu thereof one new section relating to powers of fire protection district boards, with penalty provisions.

SB 485—By Days and Green.

An Act to amend chapter 137, RSMo, by adding thereto two new sections relating to a homestead exemption for senior and disabled persons, with a sunset provision.

SB 486—By Engler.

An Act to repeal section 104.800, RSMo, and to enact in lieu thereof one new section relating to the eight year transfer provision under the Missouri state employees' retirement system.

SB 487—By Engler.

An Act to repeal sections 302.302 and 577.070, RSMo, and to enact in lieu thereof two new sections relating to littering, with penalty provisions.

SB 488—By Engler.

An Act to repeal sections 301.020 and 301.190, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle registration, with penalty provisions.

SB 489—By Loudon.

An Act to repeal section 570.033, RSMo, and to enact in lieu thereof one new section relating to selling animals for research purposes, with penalty provisions.

SB 490—By Koster.

An Act to repeal section 71.012, RSMo, and to enact in lieu thereof one new section relating to annexation procedures for cities and towns.

SB 491—By Klindt.

An Act to repeal sections 302.137, 304.027, 304.028, 476.055, 488.010, 488.012, and 488.5332, RSMo, and to enact in lieu thereof seven new sections relating to court costs, with penalty provisions and an expiration date for certain sections.

SB 492—By Kennedy and Green.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to drug testing of employees at or near a school.

SB 493—By Kennedy and Mayer.

An Act to repeal section 621.045, RSMo, and to enact in lieu thereof twenty-two new sections relating to private investigators, with penalty provisions.

SB 494—By Bray.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to exoneration using DNA testing.

SB 495—By Mayer.

An Act to repeal section 595.209, RSMo, and to enact in lieu thereof one new section relating to the statewide automated crime victim notification system.

SB 496—By Mayer.

An Act to repeal section 217.105, RSMo, and to enact in lieu thereof one new section relating to the corrections officer certification commission.

SB 497—By Mayer.

An Act to repeal section 304.230, RSMo, and

to enact in lieu thereof one new section relating to the Missouri highway safety enforcement division, with a penalty provision.

SB 498—By Mayer.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax exemptions.

SB 499—By Mayer.

An Act to repeal section 511.350, RSMo, and to enact in lieu thereof one new section relating to liens on property.

SB 500—By Gibbons, Klindt and Clemens.

An Act to amend chapters 160, 208, and 376, RSMo, by adding thereto seven new sections relating to family cost participation in the Missouri first steps program, with an emergency clause.

SB 501—By Gibbons.

An Act to amend chapter 630, RSMo, by adding thereto four new sections relating to the office of comprehensive child mental health.

SB 502—By Gibbons.

An Act to authorize the conveyance of property owned by the state in St. Louis County to the Manchester United Methodist Church, with an emergency clause.

SB 503—By Cauthorn.

An Act to amend chapter 490, RSMo, by adding thereto seven new sections relating to environmental audit privileges.

SB 504—By Dougherty, Green, Bray, Wheeler, Days, Kennedy, Callahan and Wilson.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the office of inspector general.

SB 505—By Dougherty, Days, Bray, Wheeler, Graham, Green, Wilson, Callahan and Kennedy.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card unlawful practices, with penalty provisions.

SB 506—By Dougherty, Green, Bray, Wheeler, Days, Kennedy, Callahan and Wilson.

An Act to amend chapter 407, RSMo, by adding thereto eight new sections relating to release of personal information to unauthorized persons, with penalty provisions for a certain section.

SB 507—By Graham.

An Act to repeal section 55.160, RSMo, and to enact in lieu thereof one new section relating to inventory of county property.

SB 508—By Wheeler.

An Act to repeal section 247.031, RSMo, and to enact in lieu thereof one new section relating to detachment of territories from a public water supply district.

SB 509—By Dolan.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to new market tax credits.

SB 510—By Koster.

An Act to repeal sections 288.121, 288.128, 288.310, and 288.330, RSMo, and to enact in lieu thereof four new sections relating to alternative refinancing to state unemployment debt.

SB 511—By Callahan and Bartle.

An Act to repeal section 556.036, RSMo, and to enact in lieu thereof one new section relating to commencement of prosecution.

SB 512—By Callahan and Bartle.

An Act to repeal section 575.270, RSMo, and to enact in lieu thereof one new section relating to tampering with a witness, with penalty provisions.

SB 513—By Callahan and Bartle.

An Act to repeal sections 545.050, 550.040, 550.050, 550.070, and 550.080, RSMo, and to enact in lieu thereof two new sections relating to costs paid by prosecutors.

SB 514—By Ridgeway.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to the acknowledgment of God.

SB 515—By Taylor.

An Act to repeal section 163.036, RSMo, and to enact in lieu thereof one new section relating to summer school programs.

SB 516—By Griesheimer.

An Act to repeal section 99.847, RSMo, and to enact in lieu thereof one new section relating to districts providing emergency services.

SB 517—By Shields.

An Act to repeal sections 404.805, 404.830, 404.850, and 404.855, RSMo, and to enact in lieu thereof six new sections relating to surrogate health care decisions.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 147**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Loudon moved that **SB 185** be taken up for perfection, which motion prevailed.

President Kinder assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 185, Page 1, Section 34.209, Line 8, by deleting from said line the following “Require or prohibit” and insert in lieu thereof the following “**Prohibit**”; and

Further amend same section, page 2, lines 13

and 14, by deleting from said lines the following “labor organizations” and insert in lieu thereof the following “**non-union subcontractors**”; and

Further amend same section, page 2, lines 15 to 23, by deleting said lines.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Loudon, **SB 185**, with **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Klindt, Chairman of the Committee on Commerce, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **SB 192**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **SB 236**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Vogel, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 267**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 238**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute,

hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 268**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

REFERRALS

President Pro Tem Gibbons referred **SCR 6** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Gibbons referred **SCS** for **SB 147** to the Committee on Governmental Accountability and Fiscal Oversight.

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

RECESS

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

RESOLUTIONS

Senator Bartle offered Senate Resolution No. 482, regarding Brackon Wynn Lundy, Lee’s Summit, which was adopted.

Senator Cauthorn offered Senate Resolution No. 483, regarding the One Hundred Second Birthday of Rosemary Gabbert Musil, Louisiana, which was adopted.

Senator Scott offered Senate Resolution No. 484, regarding Beverly Ann Luttrell, Windyville, which was adopted.

Senator Coleman offered Senate Resolution No. 485, regarding the Central Missouri Chapter of Safari Club International, which was adopted.

Senator Ridgeway offered Senate Resolution No. 486, regarding the Order of DeMolay, which was adopted.

Senator Stouffer offered Senate Resolution

No. 487, regarding Mr. and Mrs. Derrick Hawkins, Lexington, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 518—By Kennedy and Graham.

An Act to repeal section 191.859, RSMo, and to enact in lieu thereof two new sections relating to the advisory assistive technology council.

SB 519—By Callahan.

An Act to repeal section 64.940, RSMo, and to enact in lieu thereof one new section relating to the Jackson County sports authority.

SB 520—By Callahan and Bartle.

An Act to repeal section 544.170, RSMo, and to enact in lieu thereof one new section relating to arrest detention.

SB 521—By Crowell.

An Act to repeal section 26.607, RSMo, and to enact in lieu thereof one new section relating to the powers and duties of the lieutenant governor.

SB 522—By Ridgeway.

An Act to repeal sections 198.032, 198.526, and 198.527, RSMo, and to enact in lieu thereof four new sections relating to long-term care facilities, with penalty provisions.

SB 523—By Cauthorn.

An Act to amend chapter 332, RSMo, by adding thereto one new section relating to distant dental hygienist learning programs, with sunset provisions.

SB 524—By Coleman, Taylor and Ridgeway.

An Act to amend chapter 324, RSMo, by adding thereto twelve new sections relating to naturopathic medicine, with penalty provisions.

SB 525—By Coleman, Days and Wilson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to chronic

kidney disease.

SB 526—By Scott.

An Act to repeal section 166.420, RSMo, and to enact in lieu thereof one new section relating to the minimum time for holding investments in the Missouri higher education savings program.

SB 527—By Wilson.

An Act to repeal sections 197.289 and 197.297, RSMo, and to enact in lieu thereof five new sections relating to patient safety, with penalty provisions.

SB 528—By Bray and Days.

An Act to amend chapter 354, RSMo, by adding thereto twenty-one new sections relating to the Missouri universal health assurance program with a contingent effective date for certain sections.

SB 529—By Vogel.

An Act to amend chapters 71 and 92, RSMo, by adding thereto nine new sections relating to assessment and collection of various taxes on telecommunications companies, with a severability clause.

SB 530—By Vogel.

An Act to repeal sections 301.445, 301.447, 301.451, 301.456, 301.3053, 301.3054, 301.3055, 301.3075, 301.3076, 301.3077, 301.3078, 301.3085, 301.3105, 301.3115, 301.3142, and 301.4000, RSMo, and to enact in lieu thereof sixteen new sections relating to fees for specialized license plates.

SB 531—By Klindt.

An Act to repeal supreme court rule 8.07, and to enact in lieu thereof one new supreme court rule relating to the application for bar examination.

SB 532—By Ridgeway.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to medical assistance, with an emergency clause.

SB 533—By Shields.

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employee disqualification list, with penalty provisions.

SB 534—By Bartle.

An Act to repeal section 479.230, RSMo, and to enact in lieu thereof one new section relating to absent municipal judges.

REPORTS OF STANDING COMMITTEES

Senator Crowell, Chairman of the Committee on Pensions, Veterans’ Affairs and General Laws, submitted the following reports:

Mr. President: Your Committee on Pensions, Veterans’ Affairs and General Laws, to which was referred **SB 304**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans’ Affairs and General Laws, to which was referred **SB 317**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

SENATE BILLS FOR PERFECTION

At the request of Senator Shields, **SB 269**, with **SCS**, was placed on the Informal Calendar.

Senator Scott moved that **SB 173** be taken up for perfection, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 173, Page 3, Section 178.930, Line 56, by inserting after all of said line the following:

“5. The compensation paid to each handicapped worker employed by a sheltered workshop shall be increased in the same proportion as the increase in per diem received by a shelter workshop in subsection 1 of this

section.”

Senator Graham moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Bray, Days, Green and Kennedy.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Bray	Callahan	Days	Dougherty
Engler	Graham	Green	Kennedy
Wheeler	Wilson—10		

NAYS—Senators

Bartle	Cauthorn	Champion	Clemens
Crowell	Dolan	Gibbons	Griesheimer
Gross	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor

Vogel—21

Absent—Senator Coleman—1

Absent with leave—Senators—None

Vacancies—2

Senator Graham offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 173, Page 3, Section 178.930, Line 56, by inserting after all of said line the following:

“5. Every handicapped worker shall receive the same fringe benefits, including but not limited to, sick leave, annual leave, health insurance, or retirement benefits, as the employees of the sheltered workshop.”

Senator Graham moved that the above amendment be adopted.

Senator Gross assumed the Chair.

Senator Graham requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Days, Dolan, Green and Scott.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Bray	Callahan	Coleman	Days
Dougherty	Graham	Green	Kennedy
Wheeler	Wilson—10		

NAYS—Senators

Bartle	Cauthorn	Champion	Clemens
Dolan	Engler	Gibbons	Griesheimer
Gross	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor

Vogel—21

Absent—Senator Crowell—1

Absent with leave—Senators—None

Vacancies—2

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

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 173, Page 3, Section 178.930, Line 56, by inserting after all of said line the following:

“Section 1. Every sheltered workshop shall by January 1st of each year report to the General Assembly on the wages, salaries, and all other fringe benefits paid to each employee or officer of the sheltered workshop.” and

Further amend the title and enacting clause accordingly.

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

On motion of Senator Scott, **SB 173** was declared perfected and ordered printed.

Senator Dolan moved that **SB 312**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 312, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 312

An Act to repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to

expanding the membership of the highways and transportation commission.

Was taken up.

Senator Dolan moved that **SCS for SB 312** be adopted, which motion prevailed.

On motion of Senator Dolan, **SCS for SB 312** was declared perfected and ordered printed.

Senator Griesheimer moved that **SB 210**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for SB 210, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 50.530, 64.215, 67.1775, 67.1850, 115.019, 137.115, 205.010, and 488.426, RSMo, section 137.130 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, and section 137.130 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, and section 488.429, RSMo, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161, ninety-second general assembly, second regular session, and section 488.429, RSMo, as enacted by senate committee substitute for house committee substitute for house bill no. 798 merged with house committee substitute for senate bill no. 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to county government.

Was taken up.

Senator Griesheimer moved that **SCS for SB 210** be adopted.

Senator Griesheimer offered **SS for SCS for SB 210**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 44.090, 50.530, 64.215, 67.1775, 67.1850, 115.019, 137.115, 205.010, 233.295, 263.245, and 488.426, RSMo, section 137.130 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, and section 137.130 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, and section 488.429, RSMo, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161, ninety-second general assembly, second regular session, and section 488.429, RSMo, as enacted by senate committee substitute for house committee substitute for house bill no. 798 merged with house committee substitute for senate bill no. 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof eighteen new sections relating to county government.

Senator Griesheimer moved that **SS** for **SCS** for **SB 210** be adopted.

Senator Crowell assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 12, Section 67.1305, Line 12 of said page, by striking the word “in” and inserting in lieu thereof the following: “**by**”.

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 Senate Bill No. 210, Page 5, Section 44.090, Line 10 of said page, by striking the word “persons” and inserting in lieu thereof the following: “**participating political subdivisions**”; and

Further amend line 11 of said page by striking the words “the requesting” and inserting in lieu thereof the following: “**such**”.

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

Senator Green offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 51, Section 488.429, Line 13, of said page by inserting after all of said line the following:

“[137.750. 1. If a county has an assessment maintenance plan approved pursuant to section 137.115, a portion of all the costs and expenses of the assessor of each county and each city not within a county, incurred for the current quarter in performing all duties necessary to assess and maintain equalized assessed valuations of real property, making real and personal property assessments and preparing abstracts of assessment lists, shall be reimbursed by the state. The state shall reimburse up to sixty percent of all the current and past unreported quarterly costs and expenses of the assessor of each county and each city not within a county based on compliance with the state tax commission approved assessment and equalization maintenance plan. The state shall reimburse each eligible county a minimum of three dollars per parcel for up to twenty thousand parcels, but no further reimbursements shall be made until the county has expended at least two-thirds

of that amount of money for assessment maintenance from its assessment fund. The annual state reimbursement to any county pursuant to this section in 2000 shall not exceed seven dollars per parcel of real property in the county and each year thereafter such maximum amount may be increased by up to three percent, but the amount reimbursed by the state shall not exceed sixty percent of the actual costs and expenses incurred, except that counties entitled to only the three-dollar per parcel minimum shall receive one-fourth of the state's contribution each quarter.

2. The governing body of each county and city not within a county which seeks or will seek reimbursement under any provision of this section or section 137.720 shall establish a fund to be known as the "Assessment Fund", to be used solely as a depository for funds received by the county or city pursuant to this section and sections 137.037 and 137.720, from the general revenue fund of the county or other sources for the purpose of funding the costs and expenses incurred in implementing an assessment and equalization maintenance plan approved under section 137.115 and for assessing real and personal property.

3. All counties and cities not within a county seeking state funds under this section shall submit a certified copy of their costs and expenses to the commissioner of the office of administration not later than the thirtieth day of the quarter immediately following the quarter for which such state funds are sought. The commissioner of the office of administration shall, in such form as may be prescribed by rule, certify that the county requests for reimbursement are consistent with the assessment and equalization maintenance plan approved

by the state tax commission as provided in section 137.115, and shall pay the state's share out of funds appropriated for that purpose quarterly to each eligible county and city to reimburse such county or city for reimbursable costs and expenses incurred in the previous calendar quarter.

4. (1) The following costs and expenses shall not qualify for state reimbursement or reimbursement from tax moneys withheld from political subdivisions:

(a) Premiums for property and casualty insurance and liability insurance;

(b) Depreciation, interest, building and ground maintenance, fuel and utility costs, and other indirect expenses which can be classified as the overhead expenses of the assessor's office;

(c) Purchases of motor vehicles;

(2) Costs and expenses which shall qualify for state reimbursement, but only if identified in the county maintenance plan and subsequently specifically approved by the state tax commission, shall include:

(a) Salaries and benefits of data processing and legal personnel not directly employed by the assessor;

(b) Costs and expenses for computer software, hardware, and maintenance;

(c) Costs and expenses of any additional office space made necessary in order to carry out the county's maintenance plan;

(d) Costs of leased equipment;

(e) Costs of aerial photography.]; and

Further amend the title and enacting clause

accordingly.

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

Senator Callahan offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 7, Section 64.215, Line 15 of said page, by inserting after all of said line the following:

“64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, RSMo, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition,

planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which rents, revenues, receipts and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of

any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523, RSMo; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of congress.

2. The authority is authorized and directed to

proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments.

3. Any expenditure made by the authority located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, that is over five thousand dollars, including professional service contracts, must be competitively bid.”; and

Further amend the title and enacting clause accordingly.

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

Senator Gross offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Pages 18-22, Section 67.1775, by striking said section from the bill and inserting in lieu thereof the following:

“67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval [pursuant to] **under** this section, levy a sales tax not to exceed one-quarter of a cent in the county **or city** for the purpose of providing services described in section 210.861, RSMo, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county **or city** at a county **or city** or state general, primary or special election upon the motion of the governing body of the county **or city** or upon the petition of eight percent of the qualified voters of the county **or city** determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the

petition. The election officials of the county **or city** shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County **or city**, **solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families**, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the county [for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families]?

[] YES [] NO

[If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county and a majority of such voters are in favor of such a tax, and not otherwise.]

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county shall have no power to impose the sales tax unless and until the governing authority of the city or county has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting

thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". The moneys in the city or county community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or such other officer as may be designated by a city or county ordinance or order, of each city or county imposing the tax authorized by this section, the

sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special "Community Children's Services Fund" to accomplish the purposes set out herein and in section 210.861, RSMo, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established [pursuant to] under section 210.861, RSMo."; and

Further amend said bill, Page 43, Section 205.010, Line 23, by inserting after all of said line

the following:

“210.860. 1. The governing body of any county or city not within a county may, after voter approval pursuant to this section, levy a tax not to exceed twenty-five cents on each one hundred dollars of assessed valuation on taxable property in the county for the purpose of providing counseling, family support, and temporary residential services to persons eighteen years of age or less **and those services described in section 210.861**. The question shall be submitted to the qualified voters of the county or city not within a county at a county or state general, primary or special election upon the motion of the governing body of the county or city not within a county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county or city not within a county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city not within a county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County (City) be authorized to levy a tax of cents on each one hundred dollars of assessed valuation on taxable property in the county (city) for the purpose of establishing a community children's services fund for purposes of providing funds for counseling and related services to children and youth in the county (city) eighteen years of age or less and services which will promote healthy lifestyles among children and youth and strengthen families?

[] YES [] NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county or city not within a

county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury **or, in a city not within a county, to the board established by law to administer such fund** to the credit of a special “Community Children's Services Fund” **to accomplish the purposes set out herein and shall be used for no other purpose**. Such fund shall be administered by **and expended only upon approval by** a board of directors, established pursuant to section 210.861.

210.861. 1. When the tax prescribed by section 210.860 or section 67.1775, RSMo, is established, the governing body of the **city or county** shall appoint a board of directors consisting of nine members, who shall be residents of the **city or county**. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections

205.975 to 205.990, RSMo, shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his duties and faithful accounting of all moneys that may come into his hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer **and expend** all funds generated pursuant to section 210.860 or section 67.1775, RSMo, in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775, RSMo.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and

related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.”; and

Further amend the title and enacting clause accordingly.

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

Senator Nodler offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 49, Section 488.426, Line 25 of said page, by inserting immediately after the word “inhabitants” the following: “**and any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**”.

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

Senator Cauthorn offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 7, Section 64.215, Line 15, by inserting after all of said line the following:

“67.055. After September 1, 2005, no fund shall be created to be used as a depository for moneys received or collected to fund additional costs and expenses incurred by any county

office. Any moneys received or collected to fund additional costs and expenses incurred by any county office, excluding any moneys collected under any section in effect before September 1, 2005, shall be deposited in the general revenue fund of the county.”; and

Further amend the title and enacting clause accordingly.

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

Senator Graham offered **SA 8:**

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 6, Section 50.530, Line 2 of said page, by inserting after all of said line the following:

“55.160. The auditor of each county of the first class not having a charter form of government and of each county of the second class shall keep an inventory of all county property under the control and management of the various officers and departments and shall annually take an inventory of such property at an original value of [two hundred fifty] **one thousand** dollars or more showing the amount, location and estimated value thereof. [He] **The auditor** shall keep accounts of all appropriations and expenditures made by the county commission, and no warrant shall be drawn or obligation incurred without [his] **the auditor's** certification that an unencumbered balance, sufficient to pay the same, remain in the appropriate account or in the anticipated revenue fund against which such warrant or obligation is to be charged. [He] **The auditor** shall audit the accounts of all officers of the county annually or upon their retirement from office. The auditor shall audit, examine and adjust all accounts, demands, and claims of every kind and character presented for payment against the county, and shall in [his] **the auditor's** discretion approve to the county commission of the county all lawful, true, just and legal accounts, demands and claims of every kind and character payable out of the county revenue or out of any county funds before the same shall be

allowed and a warrant issued therefor by the commission. Whenever the auditor thinks it necessary to the proper examination of any account, demand or claim, [he] **the auditor** may examine the parties, witnesses, and others on oath or affirmation touching any matter or circumstance in the examination of such account, demand or claim before [he] **the auditor** allows same. The auditor shall not be personally liable for any cost for any proceeding instituted against [him] **the auditor** in [his] **the auditor's** official capacity. The auditor shall keep a correct account between the county and all county and township officers, and shall examine all records and settlements made by them for and with the county commission or with each other, and the auditor shall, whenever [he] **the auditor** desires, have access to all books, county records or papers kept by any county or township officer or road overseer. The auditor shall, during the first four days of each month, strike a balance in the case of each county and township officer, showing the amount of money collected by each, the amount of money due from each to the county, and the amount of money due from any source whatever to such office, and the auditor shall include in such balance any fees that have been returned to the county commission or to the auditor as unpaid and which since having been returned have been collected.”; and

Further amend the title and enacting clause accordingly.

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

Senator Shields offered **SA 9:**

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 25, Section 67.1850, Line 14 of said page, by inserting immediately after said line the following:

“110.130. 1. Subject to the provisions of section 110.030 the county commission of each county in this state, at the [May] **April** term, in [May] **April** 1997 and every fourth year thereafter,

with an option to rebid in each odd-numbered year, shall receive proposals from banking corporations or associations at the county seat of the county which desire to be selected as the depositaries of the funds of the county. For the purpose of letting the funds the county commission shall, by order of record, divide the funds into not less than two nor more than twelve equal parts, except that in counties of the first class not having a charter form of government, funds shall be divided in not less than two nor more than twenty equal parts, and the bids provided for in sections 110.140 and 110.150 may be for one or more of the parts.

2. Notice that such bids will be received shall be published by the clerk of the commission twenty days before the commencement of the term in some newspaper published in the county, and if no newspaper is published therein, then the notice shall be published at the door of the courthouse of the county. In counties operating under the township organization law of this state, township boards shall exercise the same powers and privileges with reference to township funds as are conferred in sections 110.130 to 110.260 upon county commissions with reference to county funds at the same time and manner, except that township funds shall not be divided but let as an entirety; and except, also, that in all cases of the letting of township funds, three notices, posted in three public places by the township clerk, will be a sufficient notice of such letting.

110.150. 1. The county commission, at noon on the first day of the [May] **April** term in 1997 and every second or fourth year thereafter, shall publicly open the bids, and cause each bid to be entered upon the records of the commission, and shall select as the depositaries of all the public funds of every kind and description going into the hands of the county treasurer, and also all the public funds of every kind and description going into the hands of the ex officio collector in counties under township organization, the deposit of which is not otherwise provided for by law, the banking corporations or associations whose bids respectively made for one or more of the parts of

the funds shall in the aggregate constitute the largest offer for the payment of interest per annum for the funds; but the commission may reject any and all bids.

2. The interest upon each fund shall be computed upon the daily balances with the depositary, and shall be payable to the county treasurer monthly, who shall place the interest on the school funds to the credit of those funds respectively, the interest on all county hospital funds and hospital district funds to the credit of those funds, the interest on county health center funds to the credit of those funds, the interest on county library funds to the credit of those funds and the interest on all other funds to the credit of the county general fund; provided, that the interest on any funds collected by the collector of any county of the first class not having a charter form of government on behalf of any political subdivision or special district shall be credited to such political subdivision or special district.

3. The county clerk shall, in opening the bids, return the certified checks deposited with him to the banks whose bids are rejected, and on approval of the security of the successful bidders return the certified checks to the banks whose bids are accepted.”; and

Further amend the title and enacting clause accordingly.

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

Senator Dolan offered **SA 10**, which was read:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 25, Section 67.1850, Line 14 of said page by inserting after all of said line the following:

“67.2535. Any charter county with a population of at least two hundred fifty thousand adjoining a charter county with a population of at least nine hundred thousand may conduct and pay for the monitoring of blasting operations, whether the blasting

operation is located in an unincorporated area of the county or within the limits of a village, town, city, or municipality located within the county.”; and further amend the title and enacting clause accordingly.

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

Senator Coleman offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 6, Section 50.530, Line 2, by inserting immediately after said line the following

“50.757. 1. It shall be the duty of the county purchasing agent, if one is appointed, to purchase all supplies of whatever kind or nature necessary for the conduct of the business of the county in all its departments; and the county shall not be liable for any debts except upon the written order of such purchasing agent, who shall make purchases only from those offering the lowest price, quality considered, and the purchasing agent is not authorized to purchase supplies of higher quality or price than is reasonably required for the purpose to which they are to be applied.

2. The purchasing agent may reject any or all bids for the sale of articles and supplies for the use of the county.

3. When purchasing supplies for the conduct of business of the county, purchasing agents shall give preference to supplies manufactured in the United States of America.”; and

Further amend the title and enacting clause accordingly.

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

Senator Gross offered **SA 12**, which was read:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210,

Page 29, Section 137.071, Line 21 of said page by inserting immediately after the word “year” the following: “, **but shall adjust its rate or rates due to such payment in the next rate setting cycle to offset the payment in the next taxable year”.**

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

Senator Griesheimer moved that **SS** for **SCS** for **SB 210**, as amended, be adopted, which motion prevailed.

On motion of Senator Griesheimer, **SS** for **SCS** for **SB 210**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 98**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 347**, entitled:

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 468**, entitled:

An Act to repeal sections 30.247, 30.250,

30.260, 30.270, 30.440, 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 30.767, 30.830, and 30.840, RSMo, and to enact in lieu thereof sixteen new sections relating to the state treasurer, with penalty provisions.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Nodler, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 161**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 266**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 286**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dolan, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 38**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on

Transportation, to which was referred **SB 156**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 209**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 227**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 233**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 247**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

President Pro Tem Gibbons assumed the Chair.

Senator Klindt, Chairman of the Committee on Commerce, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do

pass.

Senator Crowell assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 535—By Vogel.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to sales and use taxes.

SB 536—By Bartle.

An Act to repeal section 441.065, RSMo, and to enact in lieu thereof one new section relating to disposal of tenant property.

SB 537—By Bartle.

An Act to repeal sections 534.380 and 535.110, RSMo, and to enact in lieu thereof two new sections relating to the posting of cash bonds to stay execution in certain landlord tenant proceedings.

SB 538—By Bartle.

An Act to repeal sections 534.070, 534.090, 534.355, and 535.030, RSMo, and to enact in lieu thereof four new sections relating to landlord and tenant law.

SB 539—By Purgason, Crowell, Nodler, Bartle, Dolan, Gross, Gibbons and Ridgeway.

An Act to repeal sections 178.661, 178.662, 178.664, 178.666, 178.669, 178.671, 178.673, 208.146, 208.151, 208.152, 208.162, 208.225, 208.550, 208.553, 208.556, 208.559, 208.562, 208.565, 208.568, 208.571, 453.072, and 453.073, RSMo, and to enact in lieu thereof twenty-seven new sections relating to health care and social services, with penalty provisions.

SB 540—By Bray.

An Act to repeal sections 143.121 and 143.431, RSMo, and to enact in lieu thereof two new sections relating to nonresident income tax.

SB 541—By Callahan.

An Act to repeal section 99.805, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 542—By Callahan.

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to convicted criminals seeking public office.

SB 543—By Callahan.

An Act to amend chapter 66, RSMo, by adding thereto one new section relating to Jackson county official term limits.

SB 544—By Gross.

An Act to repeal section 67.1754, RSMo, and to enact in lieu thereof one new section relating to sales tax for park purposes.

SB 545—By Loudon and Griesheimer.

An Act to amend chapter 620, RSMo, by adding thereto eleven new sections relating to the establishment of the quality jobs program, with penalty provisions.

SB 546—By Loudon and Kennedy.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to sales tax refund for certain purchases of motor vehicles.

SB 547—By Loudon.

An Act to repeal section 459.045, RSMo, and to enact in lieu thereof one new section relating to life support decisions for patients in terminal conditions.

SB 548—By Loudon.

An Act to amend chapter 621, RSMo, by adding thereto fifteen new sections relating to a state central hearing agency, with an effective date.

SB 549—By Green.

An Act to repeal sections 105.473 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to prohibiting certain contacts between relatives of public officials and governmental entities.

SB 550—By Mayer and Dougherty.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for persons making contributions to religious or charitable organizations.

SB 551—By Mayer.

An Act to repeal section 210.110, RSMo, and to enact in lieu thereof one new section relating to child protection.

SB 552—By Mayer.

An Act to repeal sections 383.160 and 383.165, RSMo, and to enact in lieu thereof two new sections relating to the medical malpractice joint underwriting association.

SB 553—By Mayer.

An Act to repeal section 265.300, RSMo, and to enact in lieu thereof one new section relating to meat inspection.

SB 554—By Griesheimer.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to the licensing of business brokers.

SB 555—By Shields.

An Act to amend chapter 192, RSMo, by adding thereto ten new sections relating to the personal care assistance program, with penalty provisions.

SB 556—By Gibbons, Crowell, Dolan, Purgason, Nodler, Gross, Loudon, Griesheimer, Ridgeway, Bartle, Shields and Engler.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to health care and social services, with an expiration date.

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, Steve Tilley, Brad Robinson and students, Peggy Ropelle, Rusty Straughan, Gil Kennon, Mark Potratz, Annette Barton, Jennifer Butchart, Jennifer Howell, Sandra Skaggs, Debbie Lee, Terry Barnes,

Steve Kurtz, Jean Merrill-Doss, Kyle Gerdeman, Nica Barca, Chris Warren, Nicki Johnson, Rachel Ford and Michael Gott from Mineral Area College, St. Francois County.

Senator Kennedy introduced to the Senate, Gary Isaacson, Crestwood; and Chris Bathe, St. Louis; students from St. Louis Community College-Meramec.

Senator Griesheimer introduced to Senate, Mr. Yang Quanshe, Mr. Zhao Xuejun, Mr. Li Shaobo and Mr. Sun Maozhang, Hebei, China.

Senator Loudon introduced to the Senate, Warren and Erica Popp, Town and Country; and Joe Link, Chesterfield; students from St. Louis Community College-Meramec.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Janet Rader, M.D. and her son, Eliot Sam Markman, Clayton; and Eliot was made an honorary page.

Senator Cauthorn introduced to the Senate, Tim Taylar, Betsy LaRue, Melinda Bastina, Tammy Shaw and Allision Popp, and eighteen kindergarten through eighth grade students, T.E.A.C.H. Homeschoolers, Mexico.

Senator Kennedy introduced to the Senate, Lisa Sommerhauser, Darlene McGee and Chuck McPherson, St. Louis.

Senator Kennedy introduced to the Senate, Cyril Furrer, Sunset Hills.

Senator Gibbons introduced to the Senate, David Clay, Glendale.

Senator Kennedy introduced to the Senate, Jennifer Moulton, Jamie Burns, Julie Minnick, Tyler Johnson, Carlie Bayes, Kaylyn Lato, Casey Turner, Robert Whitson and Andrea Colletti, St. Louis; and Andy Van Ronzelen, Oakville; students from Meramec Community College, St. Louis.

Senator Scott introduced to the Senate, David Orushka, Jeff Carver, Wayne Goosen and Ben Embree, Sedalia.

Senator Scott introduced to the Senate, Felicia

Hughes, Warsaw; and Spencer Hunley, Kansas City; students from Maple Woods Community College, Kansas City.

Senator Callahan introduced to the Senate, Travis Pflanz, Grandview; and Henry Tilsan, Justin Sherman, Boone Jordan and Keet Kopecky, Lee’s Summit; students from Longview Community College, Lee’s Summit.

Senator Ridgeway introduced to the Senate, Monette and David Anderson and their children, Karen and Michael, and their Grandmother Kay

Roth; Homeschoolers from Liberty.

Senator Dolan introduced to the Senate, Representative Jim Avery, Crestwood.

On behalf of Senator Ridgeway, the President introduced to the Senate, Verlee Gilkerson, Kelli Walker, Kristi Fuller, Angela Pucket, Charlie Randolph and Melissa Marr; students from Maple Woods Community College, Kansas City; and Kathy Hale, Lee’s Summit.

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

SENATE CALENDAR

THIRTY-SECOND DAY–WEDNESDAY, MARCH 2, 2005

Unofficial
FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 424-Callahan and Bartle
SB 425-Callahan and Bartle
SB 426-Callahan
SB 427-Callahan
SB 428-Callahan
SB 429-Callahan
SB 430-Callahan
SB 431-Callahan
SB 432-Stouffer
SB 433-Stouffer
SB 434-Cauthorn
SB 435-Wilson
SB 436-Bray
SB 437-Bray
SB 438-Bartle and Callahan
SB 439-Bartle and Callahan
SB 440-Ridgeway
SB 441-Ridgeway
SB 442-Ridgeway
SB 443-Taylor

SB 444-Taylor
SB 445-Taylor
SB 446-Crowell
SB 447-Crowell
SB 448-Crowell
SB 449-Crowell
SB 450-Dolan
SB 451-Dolan
SB 452-Dolan
SB 453-Loudon
SB 454-Loudon
SB 455-Loudon
SB 456-Nodler
SB 457-Wheeler, et al
SB 458-Wheeler and Bray
SB 459-Green
SB 460-Koster
SB 461-Koster
SB 462-Klindt
SB 463-Gross

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Copy

SB 464-Vogel	SB 506-Dougherty, et al
SB 465-Vogel	SB 507-Graham
SB 466-Vogel	SB 508-Wheeler
SB 467-Griesheimer	SB 509-Dolan
SB 468-Griesheimer	SB 510-Koster
SB 469-Griesheimer	SB 511-Callahan and Bartle
SB 470-Engler	SB 512-Callahan and Bartle
SB 471-Engler	SB 513-Callahan and Bartle
SB 472-Coleman and Days	SB 514-Ridgeway
SB 473-Kennedy	SB 515-Taylor
SB 474-Kennedy	SB 516-Griesheimer
SB 475-Kennedy	SB 517-Shields
SB 476-Scott	SB 518-Kennedy and Graham
SB 477-Scott	SB 519-Callahan
SB 478-Scott	SB 520-Callahan and Bartle
SB 479-Scott	SB 521-Crowell
SB 480-Shields	SB 522-Ridgeway
SB 481-Shields	SB 523-Cauthorn
SB 482-Cauthorn	SB 524-Coleman, et al
SB 483-Cauthorn	SB 525-Coleman, et al
SB 484-Stouffer	SB 526-Scott
SB 485-Days and Green	SB 527-Wilson
SB 486-Engler	SB 528-Bray and Days
SB 487-Engler	SB 529-Vogel
SB 488-Engler	SB 530-Vogel
SB 489-Loudon	SB 531-Klindt
SB 490-Koster	SB 532-Ridgeway
SB 491-Klindt	SB 533-Shields
SB 492-Kennedy and Green	SB 534-Bartle
SB 493-Kennedy and Mayer	SB 535-Vogel
SB 494-Bray	SB 536-Bartle
SB 495-Mayer	SB 537-Bartle
SB 496-Mayer	SB 538-Bartle
SB 497-Mayer	SB 539-Purgason, et al
SB 498-Mayer	SB 540-Bray
SB 499-Mayer	SB 541-Callahan
SB 500-Gibbons, et al	SB 542-Callahan
SB 501-Gibbons	SB 543-Callahan
SB 502-Gibbons	SB 544-Gross
SB 503-Cauthorn	SB 545-Loudon and Griesheimer
SB 504-Dougherty, et al	SB 546-Loudon and Kennedy
SB 505-Dougherty, et al	SB 547-Loudon

SB 548-Loudon
SB 549-Green
SB 550-Mayer and Dougherty
SB 551-Mayer
SB 552-Mayer

SB 553-Mayer
SB 554-Griesheimer
SB 555-Shields
SB 556-Gibbons, et al
SJR 20-Shields

HOUSE BILLS ON SECOND READING

HCS for HB 441
HCS for HB 347

HCS for HB 468

THIRD READING OF SENATE BILLS

SCS for SB 147-Cauthorn (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 187-Cauthorn and Clemens

SB 237-Klindt, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 29-Dolan, with SCS & SA 1 (pending)

SB 185-Loudon, et al, with SA 1 (pending)

SB 32-Bartle, with SCS & SS for SCS
(pending)

SB 225-Cauthorn, with SCS & SS#2 for SCS
(pending)

SB 179-Griesheimer, et al, with SCS
(pending)

SB 269-Shields and Callahan, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 252-Koster, et al, with SCS
SB 177-Shields

SB 342-Bartle

Reported 2/28

SB 240-Scott	SB 155-Mayer, with SCS
SB 241-Scott	SBs 103 & 115-Bartle, with SCS
SB 222-Callahan, with SCS	SB 42-Days
SB 257-Koster	SB 57-Klindt, with SCS
SB 258-Koster, with SCS	SB 318-Crowell
SB 259-Koster	SB 246-Days, with SCS
SB 260-Koster, with SCS	SB 280-Taylor
SB 262-Griesheimer, with SCS	SB 73-Champion, with SCS
SB 285-Clemens and Klindt	

Reported 3/1

SB 192-Engler	SB 266-Gibbons, with SCS
SB 236-Klindt and Clemens	SB 286-Nodler
SB 267-Gibbons, with SCS	SB 38-Nodler and Taylor
SB 238-Gross, with SCS	SB 156-Shields
SB 268-Gibbons and Coleman	SB 209-Koster
SB 304-Ridgeway and Shields	SB 227-Engler, with SCS
SB 317-Mayer, et al	SB 233-Stouffer, with SCS
SB 161-Gross, with SCS	SB 247-Dolan, with SCS

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RESOLUTIONS

To be Referred

SCR 7-Loudon

Reported from Committee

SCR 2-Cauthorn

SCR 3-Crowell