

# Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY— WEDNESDAY, MAY 4, 2005

The Senate met pursuant to adjournment.

Senator Crowell in the Chair.

Reverend Carl Gauck offered the following prayer:

Benjamin Franklin said, "I am in perpetual anxiety lest...an accidental quarrel, a personal insult, an imprudent order...make a breach that can never afterward be healed." (October 6, 1774)

Gracious God, we pray in these closing days that we would always be known for who and what we are for and not who and what we are against. May we trust You who sees beyond today to guide our steps and help us clearly to be known for the openness and forgiveness we convey as we deal with each other and serve our people. Grant us patience and love to willingly protect the reputation and interest of others as we seek to do Your will this day and every day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Alter	Barnitz	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—34		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Scott offered Senate Resolution No. 1271, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Otto Perryman, which was adopted.

## HOUSE BILLS ON SECOND READING

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

**HCS for HB 665**—Financial and Governmental Organizations and Elections.

**HCS for HB 697**—Transportation.

**HB 880**—Pensions, Veterans' Affairs and General Laws.

**HCS for HB 15**—Appropriations.

**HCS for HB 18**—Appropriations.

**HCS for HB 19**—Appropriations.

### HOUSE BILLS ON THIRD READING

**HCS for HB 461** was placed on the Informal Calendar.

**HCS No. 2 for HB 568** was placed on the Informal Calendar.

**HCS for HB 208**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 276** was placed on the Informal Calendar.

**HCS for HB 64**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 209**, with **SCS**, was placed on the Informal Calendar.

**HCS for HB 824** was placed on the Informal Calendar.

**HB 738** was placed on the Informal Calendar.

**HCS for HB 525**, entitled:

An Act to repeal sections 105.466, 105.473, 105.485, 105.487, 105.489, 105.492, 105.957, 105.961, 105.963, 105.971, 105.973, 130.011, 130.021, 130.036, 130.041, 130.046, 130.049, 103.050, and 130.057, RSMo, and to enact in lieu thereof eighteen new sections relating to ethics, with penalty provisions.

Was taken up by Senator Scott.

President Kinder assumed the Chair.

Senator Green offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 525, Page 30, Section 130.021, Line 129, by inserting immediately after all of said line the following:

“130.032. 1. In addition to the limitations imposed pursuant to section 130.031, the amount of contributions made by or accepted from [any

person other than] **candidate committees, exploratory committees, campaign committees, and continuing committees other than those continuing committees which are political party committees, excluding** the candidate, in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor or attorney general, one thousand dollars;

(2) To elect an individual to the office of state senator, five hundred dollars;

(3) To elect an individual to the office of state representative, two hundred fifty dollars;

(4) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is under one hundred thousand, two hundred fifty dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least one hundred thousand but less than two hundred fifty thousand, five hundred dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least two hundred fifty thousand, one thousand dollars.

2. For purposes of this subsection “base year amount” shall be the contribution limits prescribed in this section on January 1, 1995. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010, RSMo, and rounded to the nearest twenty-five-dollar amount, for all years since January 1, 1995.

3. [Candidate committees, exploratory committees, campaign committees and continuing committees, other than those continuing committees which are political party committees,

shall be subject to the limits prescribed in subsection 1 of this section. The provisions of this subsection shall not limit the amount of contributions which may be accumulated by a candidate committee and used for expenditures to further the nomination or election of the candidate who controls such candidate committee, except as provided in section 130.052.

4.] Except as limited by this subsection, the amount of cash contributions, and a separate amount for the amount of in-kind contributions, made by or accepted from a political party committee in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor or attorney general, ten thousand dollars;

(2) To elect an individual to the office of state senator, five thousand dollars;

(3) To elect an individual to the office of state representative, two thousand five hundred dollars; and

(4) To elect an individual to any other office of an electoral district, ward or unit, ten times the allowable contribution limit for the office sought.

The amount of contributions which may be made by or accepted from a political party committee in the primary election to elect any candidate who is unopposed in such primary shall be fifty percent of the amount of the allowable contributions as determined in this subsection.

[5.] 4. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or

guardian.

[6.] 5. Contributions received and expenditures made prior to January 1, 1995, shall be reported as a separate account and pursuant to the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made after January 1, 1995, shall be reported as a separate account from the aforementioned account and pursuant to the provisions of this chapter. The account reported pursuant to the prior law shall be retained as a separate account and any remaining funds in such account may be used pursuant to this chapter and section 130.034.

[7.] 6. Any committee which accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

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

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

Amend House Committee Substitute for House Bill No. 525, Page 43, Section 130.062,

Line 11, by inserting after all of said line the following:

“Section 1. The Missouri ethics commission shall study the effectiveness of current campaign contribution limits, independent expenditures and the current system of regulating campaign committees, political party committees and other continuing committees. The commission shall hold hearings and elicit testimony on how the current campaign finance system can be improved. The commission shall report its findings to the general assembly no later than January 1, 2006. The provisions of this section shall expire on January 1, 2006.”; and

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above substitute amendment be adopted.

Senator Callahan raised the point of order that SSA 1 for SA 1 is out of order, as it is not a true substitute amendment.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

SSA 1 for SA 1 was again taken up.

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

Senator Graham offered SA 2:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 525, Page 43, Section 130.062, Line 11, by inserting immediately after said line the following

“Section 1. 1. Any person who is selected or appointed by the state director of revenue to act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle licenses and the collection of motor vehicle sales and use taxes under the provisions of section 144.440, RSMo, and who receives no salary from the

department of revenue, and any spouse of such a person, shall submit to the ethics commission no later than fifteen days after the end of each calendar quarter all contributions made to any political party committee as established by section 115.603 and all contributions made to any campaign committee, candidate committee, continuing committee or connected organization as defined by section 130.011. For the purposes of this section, the term contribution shall have the same meaning as that defined in section 130.011.

2. The ethics commission is authorized to adopt any rules or regulations deemed necessary for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005 shall be invalid and void.”

And further amend the title and enacting clause accordingly.

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, Callahan, Days and Wheeler.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Coleman
Days	Dougherty	Graham	Green
Kennedy	Wheeler	Wilson—11	

NAYS—Senators

Alter	Bartle	Cauthorn	Champion
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Clemens	Crowell	Dolan	Engler
Gibbons	Griesheimer	Gross	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel—23	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Bray offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend House Committee Substitute for House Bill No. 525, Page 19, Section 105.963, Line 59, by inserting after all of said line the following:

“115.315. 1. Sections 115.315 to 115.327 shall be known and may be cited as the “Fair Ballot Access Act”.

2. Any group of persons desiring to form a new political party throughout the state, or for any congressional district, state senate district, state representative district or circuit judge district, shall file a petition with the secretary of state. Any group of persons desiring to form a new party for any county shall file a petition with the election authority of the county.

3. Each page or a sheet attached to each page of each petition for the formation of a new political party shall:

(1) Declare concisely the intention to form a new political party in the state, district or county;

(2) State in not more than five words the name of the proposed party;

(3) [If presidential electors are to be nominated by petition, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled, and the name of their candidate for

president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president may be added to the party name, but the names of the candidates for president and vice president shall not be printed on the official ballot without the written consent of such persons. Their written consent shall accompany and be deemed part of the petition;

(4)] Give a complete list of the names and addresses, including the street and number, of the chairman and treasurer of the party.

4. When submitted for filing, each petition shall contain the names and addresses of two people, not candidates, to serve as provisional chairman and treasurer for the party in the event the party becomes a new political party.

5. If the new party is to be formed for the entire state, which shall include being formed for all districts and counties in which the party has nominations so listed on its certified list of candidates required pursuant to section 115.327, then this statewide petition shall be signed by at least ten thousand registered voters of the state obtained at large.

6. If the new party is to be formed for any district or county, but not by the statewide method set out in subsection 5 of this section, then the petition shall be signed by the number of registered voters in the district or county which is equal to at least two percent of the total number of voters who voted at the last election for candidates for the office being sought or is equal to ten thousand voters, whichever is less.

115.327. When submitted for filing, each petition for the nomination of an independent candidate or for the formation of a new political party shall be accompanied by a declaration of candidacy for each candidate to be nominated by the petition or by the party, respectively. The party's duly authorized chairman and treasurer shall also submit a certified complete list of the names and addresses of all their candidates and the

office for which each seeks. The party shall nominate its candidates in the manner prescribed in the party's bylaws. **If presidential electors are to be nominated, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled.** Each declaration of candidacy for the office of presidential elector shall be in the form provided in section 115.399. Each declaration of candidacy for an office other than presidential elector shall state the candidate's full name, residence address, office for which he proposes to be a candidate, the party, if any, upon whose ticket he is to be a candidate and that if nominated and elected he will qualify. Each such declaration shall be in substantially the following form:

I, ....., a resident and registered voter of the ..... precinct of the town of ..... or the ..... precinct of the ..... ward of the city of ....., or the ..... precinct of ..... township of the county of ..... and the state of Missouri, do announce myself a candidate for the office of ..... on the ..... ticket, to be voted for at the general (special) election to be held on the ..... day of ....., 20...., and I further declare that if nominated and elected I will qualify.

.....  
 Signature of candidate      Subscribed and sworn to before me this ..... day of ....., 20.....  
 .....  
 Residence address      Signature of election official or officer authorized to administer oaths

Each such declaration shall be subscribed and sworn to by the candidate before the election official accepting the candidate's petition, a notary public or other officer authorized by law to

administer oaths.”; and

Further amend the title and enacting clause accordingly.

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

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

SENATE AMENDMENT NO. 4

Amend House Committee Substitute for House Bill No. 525, Page 2, Section 105.473, Line 4, by inserting immediately after the word “commission” the following “; **provided, however, that no parent, sibling, or child of a statewide elected official shall be eligible to register under this section.**”

Senator Coleman moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Bray, Callahan, Green and Wheeler.

**SA 4** failed of adoption by the following vote:

YEAS—Senators

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

NAYS—Senators

Alter	Bartle	Cauthorn	Champion
Clemens	Crowell	Dolan	Engler
Griesheimer	Gross	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel—22		

Absent—Senators

Gibbons	Wilson—2
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Absent with leave—Senators—None

Vacancies—None

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

SENATE AMENDMENT NO. 5

Amend House Committee Substitute for

House Bill No. 525, Page 36, Section 130.041, Line 13, by inserting after the word “quarter” the following:

“, **except that the April quarterly report shall be considered timely filed if received by April 20th**”.

Senator Loudon moved that the above amendment be adopted.

At the request of Senator Loudon, **SA 5** was withdrawn.

Senator Callahan offered **SA 6**:

**SENATE AMENDMENT NO. 6**

Amend House Committee Substitute for House Bill No. 525, Page 19, Section 105.963, Line 59, by inserting immediately after said line the following:

“115.157. 1. The election authority may place all information on any registration cards in computerized form in accordance with section 115.158. No election authority or secretary of state shall furnish to any member of the public electronic media or printout showing any registration information, except as provided in this section. Except as provided in subsection 2 of this section, the election authority or secretary of state shall make available electronic media or printouts showing unique voter identification numbers, voters' names, dates of birth, **date of voter registration**, addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the following separate fields:

- (1) Voter identification number;
- (2) First name;
- (3) Middle initial;
- (4) Last name;
- (5) Suffix;
- (6) Street number;
- (7) Street direction;
- (8) Street name;

- (9) Street suffix;
- (10) Apartment number;
- (11) City;
- (12) State;
- (13) Zip code;
- (14) Township;
- (15) Ward;
- (16) Precinct;
- (17) Senatorial district;
- (18) Representative district;
- (19) Congressional district;
- (20) Date of voter registration.**

All election authorities shall enter voter history in their computerized registration systems and shall, not more than six months after the election, forward such data to the Missouri voter registration system established in section 115.158. In addition, election authorities shall forward registration and other data in a manner prescribed by the secretary of state to comply with the Help America Vote Act of 2002. Except as provided in subsection 2 of this section, the election authority shall also furnish, for a fee, electronic media or a printout showing the names, dates of birth and addresses of voters, or any part thereof, within the jurisdiction of the election authority who voted in any specific election, including primary elections, by township, ward or precinct, provided that nothing in this chapter shall require such voter information to be released to the public over the Internet. The amount of fees charged for information provided in this section shall be established pursuant to chapter 610, RSMo. All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account established pursuant to section 28.160, RSMo. In even-numbered years, each election authority shall, upon request, supply the voter registration list for its jurisdiction to all candidates and party committees for a charge established pursuant to

chapter 610, RSMo. Except as provided in subsection 2 of this section, all election authorities shall make the information described in this section available pursuant to chapter 610, RSMo. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610, RSMo.

2. Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in witness protection programs, and victims of domestic violence and abuse who have received orders of protection pursuant to chapter 455, RSMo, shall be entitled to apply to the circuit court having jurisdiction in his or her county of residence to have the residential address on his or her voter registration records closed to the public if the release of such information could endanger the safety of the person. Any person working as an undercover agent or in a witness protection program shall also submit a statement from the chief executive officer of the agency under whose direction he or she is serving. The petition to close the residential address shall be incorporated into any petition for protective order provided by circuit clerks pursuant to chapter 455, RSMo. If satisfied that the person filing the petition meets the qualifications of this subsection, the circuit court shall issue an order to the election authority to keep the residential address of the voter a closed record and the address may be used only for the purposes of administering elections pursuant to this chapter. The election authority may require the voter who has a closed residential address record to verify that his or her residential address has not changed or to file a change of address and to affirm that the reasons contained in the original petition are still accurate prior to receiving a ballot. A change of address within an election authority's jurisdiction shall not require that the voter file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his or her residential address as a closed record shall notify the circuit court. Upon such notification, the circuit court shall void the order closing the residential address and so notify the

election authority.”; and

Further amend the title and enacting clause accordingly.

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

On motion of Senator Scott, **HCS for HB 525**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HB 1** and has taken up and passed **CCS for SCS for HB 1**.



**CONFERENCE COMMITTEE REPORTS**

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 1**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1**

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

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1.
2. That the House recede from its position on House Bill No. 1.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1, be truly agreed to and finally passed.

**FOR THE SENATE:**

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green

**FOR THE HOUSE:**

- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Paul LeVota
- /s/ Brad Robinson

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

**YEAS—Senators**

Alter	Barnitz	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—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HB 1**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1**

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

**YEAS—Senators**

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Shields moved that motion lay on the table, 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 has taken up and passed **HCS for HB 972**, entitled:

An Act to repeal sections 577.001 and 577.023, RSMo, and to enact in lieu thereof three new sections relating to intoxication-related traffic offenses, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 789**, entitled:

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

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 192**, entitled:

An Act to repeal section 260.273, RSMo, and to enact in lieu thereof two new sections relating to waste tires, with an emergency clause.

Emergency clause adopted.

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 recesses from its position on **HCS for SCS for SB 246**, and has again taken up and passed **SCS for SB 246**.

Bill ordered enrolled.

On motion of Senator Shields, the Senate recessed until 1:45 p.m.

### RECESS

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

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 2** and has taken up and passed **CCS for SCS for HCS for HB 2**.

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 170**.

Emergency clause adopted.

Bill ordered enrolled.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on SCS for HCS for HB 2, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

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

- 1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE: /s/ Charles R. Gross, /s/ Gary Nodler, /s/ Chuck Purgason, /s/ Pat Dougherty, /s/ Timothy P. Green
FOR THE HOUSE: /s/ Brad Lager, /s/ Allen Icet, /s/ Jodi Stefanick, Paul LeVota, Sue Schoemehl

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

Table with 4 columns: YEAS—Senators, Alter, Bartle, Cauthorn, Champion, Clemens, Crowell, Days, Dolan, Dougherty, Engler, Gibbons, Graham, Green, Griesheimer, Gross, Kennedy, Klindt, Koster, Loudon, Mayer, Nodler, Purgason, Ridgeway, Scott, Shields, Stouffer, Taylor, Vogel

Wheeler—29

NAYS—Senators
Barnitz Bray Callahan Wilson—4

Absent—Senator Coleman—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, CCS for SCS for HCS for HB 2, entitled:

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

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, the several divisions and programs thereof, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

Table with 4 columns: YEAS—Senators, Alter, Bartle, Cauthorn, Champion, Clemens, Crowell, Days, Dolan, Dougherty, Engler, Gibbons, Graham, Green, Griesheimer, Gross, Kennedy, Klindt, Koster, Loudon, Mayer, Nodler, Purgason, Ridgeway, Scott, Shields, Stouffer, Taylor, Vogel

Wheeler—29

NAYS—Senators
Barnitz Bray Callahan Wilson—4

Absent—Senator Coleman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### HOUSE BILLS ON THIRD READING

**HB 487**, with **SCS**, introduced by Representatives Bruns and Deeken, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with a penalty provision.

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

**SCS** for **HB 487**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 487

An Act to repeal sections 43.530, 136.055, 144.025, 168.133, 301.020, 301.025, 301.129, 301.190, 301.215, 301.290, 301.300, 302.177, 302.735, 304.022, RSMo, section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969 merged with house substitute for senate substitute for senate committee substitute for senate bill nos.

1233, 840 & 1043, ninety-second general assembly, second regular session and section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second general assembly, second regular session, and to enact in lieu thereof twenty new sections relating to motor vehicles, with penalty provisions and an emergency clause for certain sections.

Was taken up.

Senator Dolan moved that **SCS** for **HB 487** be adopted.

Senator Dolan offered **SS** for **SCS** for **HB 487**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 487

An Act to repeal sections 8.177, 43.530, 136.055, 144.025, 168.133, 260.218, 300.330, 301.010, 301.020, 301.025, 301.129, 301.190, 301.215, 301.290, 301.300, 301.301, 302.177, 302.510, 302.530, 302.735, 304.022, 304.155, 307.180, 577.041, RSMo, section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969 merged

with house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second general assembly, second regular session, and to enact in lieu thereof thirty-six new sections relating to motor vehicles, with penalty provisions and an emergency clause for certain sections.

Senator Dolan moved that **SS** for **SCS** for **HB 487** be adopted.

Senator Nodler assumed the Chair.

Senator Dolan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 69, Section 301.894, Lines 2-3 of said page, by striking all of said lines and inserting in lieu thereof the following: **“certificate of title, provided such dealer complies with the following:”**.

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

Senator Vogel offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 4, Section 8.177, Line 4 of said page, by inserting after “the” as it appears the second time the following: **“state”**.

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

Senator Vogel offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 11, Section 136.055, Line 1 of said page, by inserting after all of said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision, **or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious,**

**educational, or charitable purposes; and**

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters.”; and

Further amend the title and enacting clause accordingly.

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

Senator Taylor offered **SA 4**:

**SENATE AMENDMENT NO. 4**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 68, Section 301.302, Line 6, of said page, by inserting immediately after said line the following:

“301.567. 1. For purposes of this section, a violation of any of the following advertising standards shall be deemed an attempt by the

advertising dealer to obtain a fee or other compensation by fraud, deception or misrepresentation in violation of section 301.562:

(1) A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a “new motor vehicle” as defined in section 301.550;

(2) When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term “used”, or by such other term as is commonly understood to mean that the vehicle is used;

(3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;

(4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealership's inventory;

(5) The terms “list price”, “sticker price”, or “suggested retail price” shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the “manufacturer's suggested retail price” of the advertised vehicle;

(6) Terms such as “at cost”, “\$..... above cost” shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale. Terms such as “invoice price”, “\$..... over invoice” may be used, provided that the invoice referred to is the manufacturer's factory invoice for a new motor vehicle and the invoice is available for customer inspection. For purposes of this section, “manufacturer's factory

invoice” means that document supplied by the manufacturer to the dealer listing the manufacturer's charge to the dealer before any deduction for holdback, group advertising, factory incentives or rebates, or any governmental charges;

(7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer-selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;

(8) Advertisements which offer to match or better any competitors' prices shall not be used;

(9) Advertisements of “dealer rebates” shall not be used, however, this shall not be deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such rebates are clearly and conspicuously disclosed;

(10) “Free”, “at no cost” shall not be used if any purchase is required to qualify for the “free” item, merchandise, or service;

(11) “Bait advertising”, in which an advertiser may have no intention to sell at the prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to, the following examples:

(a) Not having available for sale the advertised motor vehicles at the advertised prices. If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such vehicles, and they shall be available at the advertised price. If the advertised vehicle is available only in limited numbers or only by order, such limitations shall be stated in the advertisement;

(b) Advertising a motor vehicle at a specified

price, including such terms as “as low as \$.....”, but having available for sale only vehicles equipped with dealer-added cost options which increase the selling price above the advertised price;

(12) Any reference to monthly payments, down payments, or other reference to financing or leasing information shall be accompanied by a clear and conspicuous disclosure of the following:

(a) Whether the payment or other information relates to a financing or a lease transaction;

(b) If the payment or other information relates to a financing transaction, the minimum down payment, annual percentage interest rate, and number of payments necessary to obtain the advertised payment amount must be disclosed, in addition to any special qualifications required for obtaining the advertised terms including, but not limited to, “first-time buyer” discounts, “college graduate” discounts, and a statement concerning whether the advertised terms are subject to credit approval;

(c) If the payment or other information relates to a lease transaction, the total amount due from the purchaser at signing with such costs broken down and identified by category, lease term expressed in number of months, whether the lease is closed-end or open-end, and total cost to the lessee over the lease term in dollars;

(13) Any advertisement which states or implies that the advertising dealer has a special arrangement or relationship with the distributor or manufacturer, as compared to similarly situated dealers, shall not be used;

(14) Any advertisement which, in the circumstances under which it is made or applied, is false, deceptive, or misleading shall not be used;

(15) No abbreviations for industry words or phrases shall be used in any advertisement unless such abbreviations are accompanied by the fully spelled or spoken words or phrases.

2. The requirements of this section shall apply regardless of whether a dealer advertises by means

of print, broadcast, or electronic media, or direct mail. **If the advertisement is by means of a broadcast or print media, a dealer may provide the disclaimers and disclosures required under subdivision (3) of subsection 1 of this section by reference to an Internet web page or toll-free telephone number containing the information required to be disclosed.**

3. Dealers shall clearly and conspicuously identify themselves in each advertisement by use of a dealership name which complies with subsection 6 of section 301.560.”; and

Further amend the title and enacting clause accordingly.

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

Senator Dolan moved that **SS** for **SCS** for **HB 487**, as amended, be adopted, which motion prevailed.

Senator Dolan was recognized to close on the 3rd reading motion.

President Pro Tem Gibbons referred **SS** for **SCS** for **HB 487**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

**PRIVILEGED MOTIONS**

Senator Cauthorn moved that **SB 367**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

**HA 1** was taken up.

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

YEAS—Senators

Alter	Barnitz	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
Wilson—33			

NAYS—Senators—None

Absent—Senator Wheeler—1

Absent with leave—Senators—None

Vacancies—None

**HA 2** was taken up.

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Cauthorn, **SB 367**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	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—34		



NAYS—Senators—None

Absent—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Absent with leave—Senators—None

Vacancies—None

Vacancies—None

President Pro Tem Gibbons assumed the Chair.

The President declared the bill passed.

Senator Nodler assumed the Chair.

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

On motion of Senator Koster, **HCS** for **SB 490** was read the 3rd time and passed by the following vote:

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

YEAS—Senators

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

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham
Green	Griesheimer	Gross	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

Bill ordered enrolled.

Senator Koster moved that **SB 490**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 490**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 490

An Act to repeal section 67.1350, RSMo, and to enact in lieu thereof one new section relating to annexation procedures for cities and towns.

NAYS—Senators—None

Was taken up.

Absent—Senator Klindt—1

Senator Koster moved that **HCS** for **SB 490** be adopted, which motion prevailed by the following vote:

Absent with leave—Senators—None

YEAS—Senators

Alter	Barnitz	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—34		

Vacancies—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

**MESSAGES FROM THE HOUSE**

NAYS—Senators—None

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 No. 2** for **SB 155**, 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 House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 210**, 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 House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 3**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 3**.

**CONFERENCE COMMITTEE REPORTS**

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

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

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

<b>FOR THE SENATE:</b>	<b>FOR THE HOUSE:</b>
/s/ Charles R. Gross	/s/ Brad Lager
/s/ Gary Nodler	/s/ Allen Icet
/s/ Chuck Purgason	/s/ Jodi Stefanick
/s/ Pat Dougherty	Barbara Fraser
/s/ Timothy P. Green	Judy Baker

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 3**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein, and the Office of Administration to be expended only as provided in

Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 210**, as amended: Senators Griesheimer, Taylor, Crowell, Wilson and Kennedy.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS No. 2** for **SB 155**, as amended: Senators Mayer, Nodler,

Engler, Wilson and Days.

**MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 210** as amended. Representatives: Johnson (47), Schneider, Smith (118), Wagner and Skaggs.

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 No. 2** for **SB 155** as amended. Representatives: Kingery, Pratt, Sander, Donnelly and Johnson (90).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 4** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 4**.

**CONFERENCE COMMITTEE REPORTS**

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to

report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.

2. That the House recede from its position on House Committee Substitute for House Bill No. 4.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green

FOR THE HOUSE:

- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Wes Shoemyer
- /s/ Robin Wright-Jones

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

YEAS—Senators

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

NAYS—Senator Graham—1

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senator Graham—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 5** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 5**.

**CONFERENCE COMMITTEE REPORTS**

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 5**

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

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green

FOR THE HOUSE:

- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Wes Shoemyer
- /s/ Al Liese

President Pro Tem Gibbons assumed the Chair.

Senator Ridgeway assumed the Chair.

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Dolan	Dougherty
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senator Days—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 5**, entitled:

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

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive’s Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens

Coleman	Crowell	Dolan	Dougherty
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senator Days—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Gibbons assumed the Chair.

## REPORTS OF STANDING COMMITTEES

Senator Gross, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 15**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 18**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 19**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HCS** for **HBs 500** and **533**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 863**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Clemens, Chairman of the Committee on Agriculture, Conservation, Parks and Natural Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **HB 116**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 508**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Education, to which was referred **HB 530**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS No. 2** for **HBs 94** and **185**, begs leave to report that it has considered the same and recommends that the bill do pass.

**MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 6** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 6**.

**CONFERENCE COMMITTEE REPORTS**

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 6**

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

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6,

be truly agreed to and finally passed.

**FOR THE SENATE:**

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green

**FOR THE HOUSE:**

- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Wayne J. Henke
- /s/ Terry L. Witte

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

**YEAS—Senators**

Alter	Barnitz	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—34		

**NAYS—Senators—None**

**Absent—Senators—None**

**Absent with leave—Senators—None**

**Vacancies—None**

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 6**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 6**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the Office of Administration, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the

Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 7** as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 7**.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 7

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

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green

FOR THE HOUSE:

- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Michael Spreng
- /s/ Amber Boykins

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Green
Griesheimer	Gross	Kennedy	Klindt



Koster	Loudon	Mayer	Nodler	Absent—Senators—None
Purgason	Ridgeway	Scott	Shields	
Stouffer	Taylor	Vogel	Wheeler	Absent with leave—Senators—None
Wilson—33				

Vacancies—None

NAYS—Senator Graham—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, **CCS** for **SCS** for **HCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senator Graham—1

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 8** as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 8**.

CONFERENCE COMMITTEE REPORTS

Senator Gross, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 8

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

1. That the Senate recede from its position on

Senate Committee Substitute for House Committee Substitute for House Bill No. 8, as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 8.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

- /s/ Charles R. Gross
- /s/ Gary Nodler
- /s/ Chuck Purgason
- /s/ Pat Dougherty
- /s/ Timothy P. Green
- /s/ Brad Lager
- /s/ Allen Icet
- /s/ Jodi Stefanick
- /s/ Ed Wildberger
- /s/ Jeff Roorda

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Gross, CCS for SCS for HCS for HB 8, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 8

An Act to appropriate money for the expenses,

grants, refunds, and distributions of the Department of Public Safety, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

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

YEAS—Senators

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

RESOLUTIONS

Senator Nodler offered Senate Resolution No. 1272, regarding Joel Franklin Marion Preston, Neosho, which was adopted.

Senator Nodler offered Senate Resolution No. 1273, regarding Aaron Matthew Preston, Neosho, which was adopted.

Senator Green offered Senate Resolution No. 1274, regarding Deloris J. Alford-Norfolk, St. Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 1275, regarding Mr. and Mrs. Aaron Matthew Baker, which was adopted.

Senator Stouffer offered Senate Resolution No. 1276, regarding Lloyd Gittemeier, which was adopted.

Senator Stouffer offered Senate Resolution No. 1277, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lee Widhalm, Brunswick, which was adopted.

Senator Stouffer offered Senate Resolution No. 1278, regarding the City of Richmond, which was adopted.

Senator Stouffer offered Senate Resolution No. 1279, regarding Councillor Russell Lord, Richmond, North Yorkshire, England, which was adopted.

Senator Stouffer offered Senate Resolution No. 1280, regarding Mr. and Mrs. Nathan Lee Vroman, which was adopted.

Senator Stouffer offered Senate Resolution No. 1281, regarding Mr. and Mrs. Lee J. Wilkens, which was adopted.

Senator Stouffer offered Senate Resolution No. 1282, regarding Mr. and Mrs. Robert Lee Ashford, which was adopted.

Senator Stouffer offered Senate Resolution No. 1283, regarding Dr. Roger Lembke, which was adopted.

Senator Stouffer offered Senate Resolution No. 1284, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lawrence Henke, Salisbury, which was adopted.

Senator Stouffer offered Senate Resolution No. 1285, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Hugh Cannon, Carrollton, which was adopted.

Senator Stouffer offered Senate Resolution No. 1286, regarding Mr. and Mrs. Trenton Nivert

Monnig, which was adopted.

Senator Vogel offered Senate Resolution No. 1287, regarding Stacy Lynn Pierson, Jamestown, which was adopted.

Senator Dolan offered Senate Resolution No. 1288, regarding Lieutenant Colonel William O. Ratliff, Jefferson City, which was adopted.

Senator Engler offered Senate Resolution No. 1289, regarding Annette Portell, which was adopted.

Senator Engler offered Senate Resolution No. 1290, regarding Branson Merrill, which was adopted.

Senator Engler offered Senate Resolution No. 1291, regarding Cynthia Briley, which was adopted.

Senator Engler offered Senate Resolution No. 1292, regarding Ken Bryant, which was adopted.

Senator Engler offered Senate Resolution No. 1293, regarding Susan Faenger, which was adopted.

Senator Mayer offered Senate Resolution No. 1294, regarding Tom Frazier, Dexter, which was adopted.

Senator Loudon offered Senate Resolution No. 1295, regarding Jim Haven, Town and Country, which was adopted.

Senator Loudon offered Senate Resolution No. 1296, regarding John J. Diehl, Jr., Town and Country, which was adopted.

Senator Loudon offered Senate Resolution No. 1297, regarding Ron Baum, Town and Country, which was adopted.

Senator Loudon offered Senate Resolution No. 1298, regarding Suzanne Shelton, Ballwin, which was adopted.

## COMMUNICATIONS

President Pro Tem Gibbons submitted the following:

May 4, 2005

Mrs. Terry Spieler  
 Secretary of the Missouri Senate  
 State Capitol, Room 325  
 Jefferson City, MO 65101

**RE: Change in Appointment to Jt. Committee on Economic Development Policy and Planning**

Dear Mrs. Spieler:

Pursuant to section 21.810.1 of the Revised Statutes of Missouri (RSMo 2002), please be advised I am **removing** Senator Norma Champion from said committee, and **appointing** the following senator:

Senator Rob Mayer

If you have any questions regarding this matter, please contact my office.

Yours truly,  
 /s/ Michael R. Gibbons  
 MICHAEL R. GIBBONS  
 President Pro Tem

**INTRODUCTIONS OF GUESTS**

Senator Nodler introduced to the Senate, Mike and Amy Mann, Joplin; and Betty Dodson, Neosho.

Senator Bray introduced to the Senate, Patrick, Patrick, Jr., Sarah, Christa and Mia Barrett, Des Peres; and Patrick and Sarah were

made honorary pages.

Senator Scott introduced to the Senate, Alyssa Nelson, Warsaw.

Senator Graham introduced to the Senate, the Physician of the Day, Dr. Richard Burns, M.D., Columbia.

Senator Ridgeway introduced to the Senate, Abigail Jasinsky and Elizabeth You, Kansas City; Mary and Brittany Sanders and Dominique Giordano, Gladstone; and Samantha Jacobson, Fayette; and Abigail, Elizabeth, Brittany, Dominique and Samantha were made honorary pages.

Senator Stouffer introduced to the Senate, Nikki Crawford, Excelsior Springs; and Aaron Keck, Lee's Summit.

Senator Coleman introduced to the Senate, Dr. Creg Williams, St. Louis.

Senator Gibbons introduced to the Senate, fourth grade students from Clark Elementary School, Webster Groves.

On motion of Senator Shields, the Senate adjourned until 9:00 a.m., Thursday, May 5, 2005.

**SENATE CALENDAR**

SIXTY-FIFTH DAY—THURSDAY, MAY 5, 2005

**FORMAL CALENDAR**

**HOUSE BILLS ON SECOND READING**

HCS for HB 972  
 HB 789-Salva, et al

HCS for HB 192

**SENATE BILLS FOR PERFECTION**

SB 542-Callahan  
 SB 326-Nodler, with SCS  
 SB 417-Engler, et al

SB 466-Vogel, with SCS  
 SB 508-Wheeler, with SCS

## HOUSE BILLS ON THIRD READING

- |  |   |
|--|---|
| 1. HCS for HB 394, with SCS (Engler) (In Fiscal Oversight)                 | 7. HB 539-Icet, et al, with SCS (Nodler)          |
| 2. HCS for HB 576, with SCA 1 (Nodler) (In Fiscal Oversight)               | 8. HB 617-Kelly (144), et al, with SCS (Purgason) |
| 3. HB 114-Johnson (47) (Wheeler) (In Fiscal Oversight)                     | 9. HCS for HB 15-Lager (Gross)                    |
| 4. HCS for HBs 518, 288, 418 & 635, with SCS (Dolan) (In Fiscal Oversight) | 10. HCS for HB 18-Lager (Gross)                   |
| 5. HCS for HB 353, with SCS (Bartle) (In Fiscal Oversight)                 | 11. HCS for HB 19-Lager, with SCS (Gross)         |
| 6. HB 700-Moore, et al (Cauthorn)  | 12. HCS for HBs 500 & 533, with SCS               |
|  | 13. HCS for HB 863, with SCS                      |
|  | 14. HB 116-Deeken, et al                          |
|  | 15. HB 530-Moore, et al (Loudon)                  |
|  | 16. HCS#2 for HBs 94 & 185                        |

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 3-Loudon

SS for SCS for SB 316-Dolan  
(In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| SB 5-Klindt, with SCS & SS for SCS (pending)             | SB 236-Klindt and Clemens                            |
| SB 12-Cauthorn and Klindt                                | SB 240-Scott   |
| SB 29-Dolan, with SCS & SA 1 (pending)                   | SB 241-Scott   |
| SB 44-Wheeler and Bray, with SCS                         | SB 253-Koster, with SCS                              |
| SB 50-Taylor and Nodler, with SCS & SS for SCS (pending) | SB 284-Cauthorn and Clemens, with SCS                |
| SB 55-Klindt, with SCS & SS for SCS (pending)            | SB 291-Mayer, et al, with SCS & SS for SCS (pending) |
| SB 64-Kennedy, with SCS                                  | SB 321-Shields                                       |
| SB 90-Dougherty, with SCS                                | SB 324-Scott, with SCS                               |
| SB 93-Cauthorn, with SCS                                 | SB 339-Gross, with SCS                               |
| SB 152-Wilson, with SCS (pending)                        | SBs 365 & 204-Mayer, et al, with SCS (pending)       |
| SB 159-Cauthorn  | SB 373-Bartle  |
| SB 160-Bartle, et al, with SS (pending)                  | SB 376-Loudon  |
| SB 185-Loudon, et al, with SA 1 & SA 1 to SA 1 (pending) | SB 393-Stouffer, with SCS                            |
| SB 199-Gross   | SB 434-Cauthorn                                      |
| SB 214-Scott, et al, with SCS                            | SB 470-Engler  |
|  | SB 548-Loudon  |

## HOUSE BILLS ON THIRD READING

HB 48-Dougherty, with SCS (Callahan)	HCS for HB 388 (Loudon)
SS for SCS for HCS for HB 58	HCS for HB 437, with SCS (Dolan)
(Griesheimer) (In Fiscal Oversight)	HCS for HB 461 (Griesheimer)
HCS for HB 64, with SCS (Crowell)	HCS for HB 468, with SCS (Scott)
HCS for HB 108 (Shields)	SS for SCS for HB 487-Bruns and Deeken
HCS for HB 135, with SCS (Shields)	(Dolan) (In Fiscal Oversight)
HCS for HB 174 (Taylor)	HB 564-Boykins, et al (Coleman)
HCS for HB 186, with SCS (Scott)	HCS#2 for HB 568 (Nodler)
HCS for HB 208, with SCS (Crowell)	HB 592-Cooper (120) (Dolan)
HCS for HB 209, with SCS (Griesheimer)	HB 596-Schaaf (Shields)
HCS for HB 276 (Nodler)	HCS for HB 606 (Kennedy)
HCS for HB 334 (Crowell)	HB 738-Behnen (Scott)
HCS for HB 347, with SCS & SS for SCS	HCS for HB 824 (Klindt)
(pending) (Dolan)	

# Unofficial

## CONSENT CALENDAR

## House Bills

## Reported 4/12

HCS for HB 119 (Stouffer)	HB 323-Johnson (47) (Shields)
HCS for HBs 163, 213 & 216 (Gross)	HCS for HB 348 (Koster)
HB 219-Salva and Johnson (47) (Wheeler)	HB 473-Yates (Bartle)
HB 236-Goodman (Taylor)	HB 258-Cunningham (86) (Nodler)
HB 261-Deeken (Griesheimer)	

## Reported 4/13

HB 33-Phillips (Shields)	HCS for HB 563 (Shields)
HB 455-Quinn, et al (Klindt)	HCS for HB 513 (Loudon)

## Reported 4/14

HB 69-Rupp (Loudon)	HCS for HBs 462 & 463 (Shields)
HCS for HB 56 (Dolan)	HB 681-Chappelle-Nadal (Days)
HB 413-Hubbard, et al (Coleman)	HB 321-Yates (Bartle)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 307-Purgason, with HCS

SCS for SB 390-Taylor,  
with HA 1 & HA 3

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

SCS#2 for SB 155-Mayer, with HCS, as  
amended

SS for SCS for SB 210-Griesheimer, with  
HCS, as amended

HCS for HB 9, with SCS (Gross)

HCS for HB 10, with SCS, as amended  
(Gross)

HCS for HB 11, with SCS,  
as amended (Gross)

HB 12-Lager, with SCS,  
as amended (Gross)

HB 13-Lager, with SCS (Gross)

RESOLUTIONS

Reported from Committee

SCR 10-Scott

SCR 12-Koster

SCR 14-Purgason

HCR 11-Sander, et al (Stouffer)

HCR 9-Bivins, et al

HCR 15-Baker (123) (Koster)

HCR 20-Rupp, et al (Dolan)

HCS for HCR 24 (Coleman)

SR 901-Mayer, et al

SR 1193-Vogel, with SCA 1

SCR 17-Scott

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