

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SECOND DAY—MONDAY, APRIL 30, 2007

The Senate met pursuant to adjournment.

Senator Rupp in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let no evil talk come out of your mouth, but only what is useful for building up, as there is need, so that your words may give grace to those who hear.” (Ephesians 4:29)

Gracious God, we begin our final three weeks with much to do. And so we pray today that we use this time to encourage and not discourage the building up of others so that our words make others stronger and our efforts assist in what is truly beneficial to the people of this state, with laws that are truly helpful. And we pray for Senator Coleman’s son, James, in surgery this day, that You will guide the hands of the surgeons and touch him with Your healing power, making him whole and healthy. 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 for Thursday, April 26, 2007 was read and approved.

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

Present—Senators

| | | | |
|----------|---------|---------|----------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Crowell |

| | | | |
|-----------|-------------|----------|----------|
| Days | Engler | Gibbons | Graham |
| Green | Griesheimer | Gross | Justus |
| Kennedy | Koster | Lager | Loudon |
| Mayer | McKenna | Nodler | Purgason |
| Ridgeway | Rupp | Scott | Shields |
| Shoemyer | Smith | Stouffer | Vogel |
| Wilson—33 | | | |

Absent—Senators—None

Absent with leave—Senator Goodman—1

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of the victims of the Ward Parkway shopping center shootings.

RESOLUTIONS

Senators Callahan and Koster offered Senate Resolution No. 1124, regarding Billy R. Thompson, Gladstone, which was adopted.

Senator Shields offered Senate Resolution No. 1125, regarding Steven Joseph Hickman McDowell, which was adopted.

Senator Shields offered Senate Resolution No. 1126, regarding Grant Quigley, which was adopted.

Senator Gibbons offered Senate Resolution No. 1127, regarding Mary Jo Barker, Fenton, which was adopted.

Senator Stouffer offered Senate Resolution No. 1128, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Everett Beckmann, Odessa, which was adopted.

Senator Stouffer offered Senate Resolution No. 1129, regarding the death of Heidi Jeanne Strodman, Salisbury, which was adopted.

Senator Graham offered Senate Resolution No. 1130, regarding C. Randal Vessell, Blackwater, which was adopted.

Senator Gibbons offered Senate Resolution No. 1131, regarding Sheri Strebler, which was adopted.

Senator Engler offered Senate Resolution No. 1132, regarding Patrick Kirk McNees, which was adopted.

Senator Engler offered Senate Resolution No. 1133, regarding Sissy Ren'ee Gallaher, which was adopted.

Senator Days offered Senate Resolution No. 1134, regarding Janie Strebeck, St. Ann, which was adopted.

Senator Days offered Senate Resolution No. 1135, regarding Roger J. Dickson, Pasadena Hills, which was adopted.

Senator Crowell offered Senate Resolution No. 1136, regarding Amber Marie Seyer, Oran, which was adopted.

Senator Lager offered Senate Resolution No. 1137, regarding Tyler Ruoff, which was adopted.

Senator Scott offered Senate Resolution No. 1138, regarding Doug Osborne, which was adopted.

Senator Rupp offered Senate Resolution No. 1139, regarding Denise Voss, O'Fallon, which was adopted.

Senator Rupp offered Senate Resolution No. 1140, regarding Laura Montgomery, Elsberry, which was adopted.

Senator Rupp offered Senate Resolution No. 1141, regarding Vendelin "Vandy" Schneidt, O'Fallon, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HB 647—Agriculture, Conservation, Parks and Natural Resources.

REFERRALS

President Pro Tem Gibbons referred **HCS** for **HB 74**; **HB 488**; and **HB 134** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 26, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Charles G. Misko, 58 Muirfield Court, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the Missouri Real Estate Commission, for a term ending October 16, 2007, and until his successor is duly appointed and qualified; vice, Michael Brown, resigned.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 26, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice

and consent the following appointment:

Jane B. Evans, Republican, 514 North Holmes Avenue, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Missouri Community Service Commission, for a term ending December 12, 2009, and until her successor is duly appointed and qualified; vice, Emmy McClelland, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 26, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Michael D. Geske, 4694 State Highway E, Matthews, New Madrid County, Missouri 63867, as a member of the Missouri Ethanol and Other Renewable Fuels Commission, for a term ending March 25, 2011, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 26, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Melvin C. DeClue, 478 Mark Twain Loop, Union, Franklin County, Missouri 63084, as a member of the Seismic Safety Commission, for a term ending July 1, 2010, and until his successor is duly appointed and qualified; vice, Thomas Roeseler, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 27, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

I have the honor to transmit to you herewith for your advice

and consent the following appointment:

William P. Hopfinger, 12001 Foursome Place, Sunset Hills, Saint Louis County, Missouri 63128, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2009, and until his successor is duly appointed and qualified; vice, Victoria Horst, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 30, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Katherine Suzanne Bradley, Republican, 4006 Miller Road, Saint Joseph, Buchanan County, Missouri 64505, as a member of the Missouri Gaming Commission for a term ending April 29, 2010, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 30, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Larry W. Plunkett, Sr., Democrat, 109 Pine Street, Greenville, Wayne County, Missouri 63944, as a member of the Missouri Gaming Commission, for a term ending April 29, 2010, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

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

HOUSE BILLS ON THIRD READING

HB 352 was placed on the Informal Calendar.

HCS for **HBs 444, 217, 225, 239, 243, 297, 402** and **172**, with **SCS**, was placed on the Informal Calendar.

HB 554 was placed on the Informal Calendar.

HCS for **HB 555** was placed on the Informal Calendar.

HCS for **HB 17**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2007 and ending June 30, 2009.

Was taken up by Senator Gross.

SCS for **HCS** for **HB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2007 and ending June 30, 2009.

Was taken up.

Senator Griesheimer assumed the Chair.

Senator Gross moved that **SCS** for **HCS** for **HB 17** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 20, Section 17.400, Lines 18-19, by deleting all of said lines and inserting in lieu

thereof the following:

“AgBiotech Company Recruitment Fund (\$3,350,000)”.

Senator Graham moved that the above amendment be adopted.

Senator Gross raised the point of order that **SA 1** is out of order as it attempts to change language adopted in **HB 16**; further stating that **HB 17** deals with reappropriating monies previously authorized in other appropriation bills.

The point of order was referred to the President Pro Tem who took it under advisement, which placed the bill on the Informal Calendar.

HCS for **HB 18**, with **SCS**, entitled:

An Act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

Was taken up by Senator Gross.

SCS for **HCS** for **HB 18**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 18

An Act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

Was taken up.

Senator Engler assumed the Chair.

Senator Gross moved that **SCS** for **HCS** for **HB 18** be adopted, which motion prevailed.

On motion of Senator Gross, **SCS** for **HCS** for **HB 18** was read the 3rd time and passed by the

following vote:

YEAS—Senators

| | | | |
|----------|-------------|----------|-----------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Crowell |
| Days | Engler | Gibbons | Graham |
| Green | Griesheimer | Gross | Justus |
| Kennedy | Koster | Lager | Mayer |
| McKenna | Nodler | Purgason | Ridgeway |
| Rupp | Scott | Shields | Shoemyer |
| Smith | Stouffer | Vogel | Wilson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

| | |
|---------|----------|
| Goodman | Loudon—2 |
|---------|----------|

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.

Senator Gross assumed the Chair.

HCS for HB 426, with **SCS**, entitled:

An Act to repeal sections 323.010, 323.020, 323.060, 323.075, 323.080, 323.090, and 323.110, RSMo, and to enact in lieu thereof eleven new sections relating to the Missouri propane safety act, with a penalty provision.

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

SCS for HCS for HB 426, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 426

An Act to repeal sections 323.010, 323.020, 323.050, 323.060, 323.075, 323.080, 323.090, and

323.110, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri propane safety act, with a penalty provision.

Was taken up.

Senator Koster assumed the Chair.

Senator Scott moved that **SCS** for **HCS** for **HB 426** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HCS** for **HB 426** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | |
|----------|-------------|----------|-----------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Crowell |
| Days | Engler | Gibbons | Graham |
| Green | Griesheimer | Gross | Justus |
| Kennedy | Koster | Lager | Mayer |
| McKenna | Nodler | Purgason | Ridgeway |
| Rupp | Scott | Shields | Shoemyer |
| Smith | Stouffer | Vogel | Wilson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

| | |
|---------|----------|
| Goodman | Loudon—2 |
|---------|----------|

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.

HCS for HB 497, entitled:

An Act to repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

Was called from the Informal Calendar and

taken up by Senator Lager.

On motion of Senator Lager, **HCS** for **HB 497** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | |
|----------|-------------|----------|-----------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Crowell |
| Days | Engler | Gibbons | Graham |
| Green | Griesheimer | Gross | Justus |
| Kennedy | Koster | Lager | Mayer |
| McKenna | Nodler | Purgason | Ridgeway |
| Rupp | Scott | Shields | Shoemyer |
| Smith | Stouffer | Vogel | Wilson—32 |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Goodman Loudon—2

Vacancies—None

The President declared the bill passed.

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

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

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

HJR 7, with **SCS**, introduced by Representative Nieves, et al, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to English as the official state language.

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

SCS for **HJR 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 7

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri relating to English as the official state language.

Was taken up.

Senator Engler moved that **SCS** for **HJR 7** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Joint Resolution 7, page 1, Section 34, Line 2, by inserting after “in this state.” the following: “Use of sign language, binary code or any form of communication not English in an official proceeding shall render any action taken during that official proceeding null and void.”

Senator Smith moved that the above amendment be adopted.

Senator Engler requested a roll call vote be taken. He was joined in his request by Senators Callahan, Champion, Smith and Stouffer.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Days Shoemyer Smith—3

NAYS—Senators

| | | | |
|----------|---------|-----------|-------------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Engler |
| Gibbons | Graham | Green | Griesheimer |
| Gross | Justus | Kennedy | Koster |
| Lager | Mayer | Nodler | Purgason |
| Ridgeway | Rupp | Scott | Shields |
| Stouffer | Vogel | Wilson—27 | |

Absent—Senators

Crowell McKenna—2

Absent with leave—Senators

Goodman Loudon—2

Vacancies—None

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

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Joint Resolution No. 7, Page 1, Section 34, Line 14, by inserting at the end of said line the following: "**However, American Sign Language (ASL) may be used in proceedings that either involve persons who are deaf and cannot hear a spoken language or are instructional components of deaf or interpreter education.**".

Senator Kennedy moved that the above amendment be adopted.

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

President Kinder assumed the Chair.

At the request of Senator Engler, **HJR 7**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Gross moved that **HCS** for **HB 17**, with **SCS**, **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

President Pro Tem Gibbons ruled the pending point of order well taken.

SCS for **HCS** for **HB 17** was again taken up.

Senator Mayer assumed the Chair.

At the request of Senator Gross, **HCS** for **HB 17**, with **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

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

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

House refuses to adopt **SCS** for **HCS** for **HB 7** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended, for **HCS** for **HB 11** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 12** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

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

PRIVILEGED MOTIONS

Senator Gross requested unanimous consent of the Senate to be allowed to make one motion to send **SCS** for **HB 1**; **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**, as amended; **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** to conference, which request was granted.

Senator Gross moved that the Senate refuse to recede from its position on **SCS** for **HB 1**; **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**, as amended; **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** and grant the House a conference thereon, 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 **SCS** for **HB 1**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 3**: Senators Gross, Nodler, Mayer, Bray and

Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 4**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 5**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 6**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 7**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 8**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 9**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 12**: Senators Gross, Nodler, Mayer, Bray and Green.

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**: Senators Gross, Nodler, Mayer, Bray and Green.

HOUSE BILLS ON THIRD READING

Senator Gross moved that **HCS** for **HB 17**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Engler assumed the Chair.

SCS for **HCS** for **HB 17** was again taken up.

Senator Gross moved that **SCS** for **HCS** for **HB 17** be adopted, which motion prevailed.

On motion of Senator Gross, **SCS** for **HCS** for **HB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | |
|-------------|----------|---------|-----------|
| Barnitz | Bartle | Bray | Callahan |
| Champion | Clemens | Coleman | Crowell |
| Days | Engler | Gibbons | Green |
| Griesheimer | Gross | Lager | Loudon |
| Mayer | McKenna | Nodler | Purgason |
| Ridgeway | Rupp | Scott | Shields |
| Smith | Stouffer | Vogel | Wilson—28 |

NAYS—Senators

| | | |
|--------|--------|------------|
| Graham | Justus | Shoemyer—3 |
|--------|--------|------------|

Absent—Senators

| | |
|---------|----------|
| Kennedy | Koster—2 |
|---------|----------|

Absent with leave—Senator Goodman—1

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 Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HB 1**. Representatives: Icet, Robb, Stevenson, Donnelly and LeVota.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2**. Representatives: Icet, Robb, Stevenson, LeVota and Bringer.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 3**. Representatives: Icet, Robb, Stevenson, Bringer and Lampe.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 4**. Representatives: Icet, Robb, Stevenson, Storch and Hughes.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 5**. Representatives: Icet, Robb, Stevenson, Donnelly and Hughes.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**. Representatives: Icet, Robb, Stevenson, Whorton and Harris (110).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 7**. Representatives: Icet, Robb, Stevenson, Storch and Wright-Jones.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Icet, Robb, Stevenson, Wildberger and Roorda.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Icet, Robb, Stevenson, Wildberger and Nasheed.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 10**. Representatives: Icet, Robb, Stevenson, Donnelly

and Curls.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS**, as amended, for **HCS** for **HB 11**. Representatives: Icet, Robb, Stevenson, Donnelly and Baker (25).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 12**. Representatives: Icet, Robb, Stevenson, Donnelly and LeVota.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conference committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 13**. Representatives: Icet, Robb, Stevenson, Donnelly and LeVota.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 25**, entitled:

An Act to repeal sections 210.145, 210.183, 454.390, 454.440, 454.455, 454.460, 454.470, 454.480, 454.496, 454.511, 454.810, and 511.350, RSMo, and to enact in lieu thereof eleven new sections relating to services for a child for psychiatric counseling, child abuse investigations, or child support enforcement, with penalty provisions.

With House Amendment No. 2 to House Amendment No. 1, House Amendment No. 3 to

House Amendment No. 1, House Amendment No. 1, as amended and House Amendment No. 2.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 4, Line 17, by deleting the words “cannot be” and replacing with “is not”.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 2, Section 210.566, Line 6, by deleting the opening bracket “[” after the word “division”; and

Further amend said Amendment, Page 2, Line 7, by deleting the closing bracket “]” after the word “services”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 25, Page 1, in the title, Line 4, by inserting after the word “investigations,” the words “foster parents’ bill of rights,”; and

Further amend said Bill, Page 7, Section 210.183, by inserting after all of said section the following:

“210.566. 1. (1) The **children's** division [of family services] and its contractors, **recognizing that foster parents are not clients but rather are colleagues in the child welfare team**, shall treat foster parents [with courtesy, respect and consideration] **in a manner consistent with the National Association of Social Workers’ ethical standards of conduct as described in its Social Workers’ Ethical Responsibilities to Colleagues**. Foster parents shall treat the children in their care, the child's birth family and members of the child welfare team [with courtesy, respect and consideration] **in a manner consistent with their**

ethical responsibilities as professional team members.

(2) **The children's division and its contractors shall provide written notification of the rights enumerated in this section at the time of initial licensure and at the time of each licensure renewal following the initial licensure period.**

2. (1) The **children's** division [of family services] and its contractors shall provide foster parents with **regularly scheduled opportunities for preservice training**, [preservice] and **regularly scheduled opportunities for pertinent inservice training, as determined by the Missouri State Foster Care and Adoption Advisory Board**[, and support].

(2) The **children's** division [of family services] and its contractors shall [share] **provide to foster parents and potential adoptive parents, prior to placement**, all pertinent information [about the child and the child's family], including but not limited to[, the case plan with the foster parents to assist in determining if a child would be a proper placement. The **children's** division [of family services] and its contractors shall inform the foster parents of issues relative to the child that may jeopardize the health or safety of the foster family] **full disclosure of all medical, psychological, and psychiatric conditions of the child, as well as information from previous placements that would indicate that the child or children may have a propensity to cause violence to any member of the foster family home. The foster parents must be provided with any information regarding the child or the child's family, inclusive of the case plan, family history of mental or physical illness, sexual abuse or perpetration, criminal background, fire-setting or other destructive behavior, substance abuse, or any other information which is pertinent to the care and needs of the child and to protect the foster or adoptive family. Knowingly providing false or misleading**

information to foster parents in order to secure placement shall be denoted in the caseworker's personnel file and shall be kept on record by the division.

(3) The **children's** division [of family services] and its contractors shall arrange preplacement visits, except in emergencies.

(4) The foster parents may ask questions about the child's case plan, encourage a placement or refuse a placement without reprisal from the caseworker or agency. After a placement, the **children's** division [of family services] **and its contractors** shall update the foster parents as new information about the child is gathered.

(5) Foster parents shall be informed **in a timely manner by the children's division and its contractors** of [upcoming] **all team** meetings and staffings **concerning their licensure status or children placed in their homes**, and shall be allowed to participate, consistent with section 210.761.

(6) The **children's** division [of family services] **and its contractors** shall establish reasonably accessible respite care for children in foster care for short periods of time, jointly determined by foster parents and the child's caseworker pursuant to section 210.545. **Foster parents shall follow all procedures defined by the children's division and its contractors for requesting and using respite care.**

[(2)] (7) Foster parents shall treat all information received from the **children's** division [of family services] **and its contractors** about the child and the child's family as confidential. **Information necessary for the medical or psychiatric care of the child may be provided to the appropriate practitioners. Foster parents may share information necessary with school personnel in order to secure a safe and appropriate education for the child. Additionally, foster parents [may] shall share information they may learn about the child and the child's family, and concerns that arise in the care**

of the child, with the caseworker and other members of the child welfare team. Recognizing that placement changes are difficult for children, foster parents shall seek all necessary information, and participate in preplacement visits **whenever possible**, before deciding whether to accept a child for placement. [Foster parents shall follow all procedures defined by the division of family services for requesting and using respite care.]

3. (1) Foster parents shall make decisions about the daily living concerns of the child, and shall be permitted to continue the practice of their own family values and routines while respecting the child's cultural heritage. All discipline shall be consistent with state laws and regulations. The **children's** division [of family services] shall allow foster parents to help plan visitation between the child and the child's **siblings or biological family. Visitations should be scheduled at a time that meets the needs of the child, the biological family members, and the foster family whenever possible. Recognizing that visitation with family members is an important right of children in foster care, foster parents shall be flexible and cooperative with regard to family visits.**

(2) Foster parents shall provide care that is respectful of the child's cultural identity and needs. **Recognizing that cultural competence can be learned, the children's division and their contractors shall provide foster parents with training that specifically addresses cultural needs of children, including but not limited to, information on skin and hair care, information on any specific religious or cultural practices of the child's biological family, and referrals to community resources for ongoing education and support.**

(3) Foster parents shall recognize that the purpose of discipline is to teach and direct the behavior of the child, and ensure that it is administered in a humane and sensitive manner. [Recognizing that visitation with family members is an important right, foster parents shall be

flexible and cooperative in regard to family visits.] **Foster parents shall use discipline methods which are consistent with children's division policy.**

4. (1) Consistent with state laws and regulations, the [state may] **children's division and its contractors shall** provide, upon request by the foster parents, information about a child's progress after the child leaves foster care.

(2) Except in emergencies, foster parents shall be given **two weeks** advance notice [consistent with division policy,] and a written statement of the reasons before a child is removed from their care. **When requesting removal of a child from their home, foster parents shall give two weeks advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.**

(3) **Recognizing the critical nature of attachment for children,** if a child reenters the foster care system **and cannot be placed in a relative home,** the child's **former** foster parents shall be [considered as a placement option] **given first consideration for placement of the child.**

(4) If a child becomes free for adoption while in foster care, the child's foster family shall be given preferential consideration as adoptive parents consistent with section 453.070, RSMo.

[(2)] (5) [Confidentiality rights of the child and the child's parents shall be respected and maintained. Foster parents shall inform the child's caseworker of their interest if a child reenters the system.] If a foster child becomes free for adoption and the foster parents desire to adopt the child, they shall inform the caseworker [in a timely manner] **within sixty days of the caseworker's initial query.** If they do not choose to pursue adoption, foster parents shall make every effort to support and encourage the child's placement in a permanent home, **including but not limited to providing information on the history and care needs of the child and accommodating transitional visitation.** [When requesting removal

of a child from their home, foster parents shall give reasonable advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.]

5. (1) Foster parents shall be informed by the court [in a timely manner] **no later than two weeks prior** of all court hearings pertaining to a child in their care, and informed of their right to attend and participate, consistent with section 211.464, RSMo.

[(2) Foster parents shall share any concerns regarding the case plan for a child in their care with the child's caseworker, as well as other members of the child welfare team, in a timely manner.]

6. **The children's division and their contractors shall provide access to a fair and impartial grievance process to address licensure, case management decisions, and delivery of service issues.** Foster parents shall have timely access to the child placement agency's appeals process, and shall be free from acts of retaliation when exercising the right to appeal.

7. **The children's division and their contractors shall provide training to foster parents on the policies and procedures governing the licensure of foster homes, the provision of foster care, and the adoption process.** Foster parents shall, **upon request, be provided with written documentation of the policies of the children's division and their contractors** [know and follow the policies of the division of family services, including the appeals procedure]. **Per licensure requirements, foster parents shall comply with the policies of the child placement agency.**

8. For purposes of this section, “foster parent” means a resource family providing care of children in state custody.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 25, Section 210.183, Page 7, by inserting after all of said section the following:

“452.340. 1. In a proceeding for dissolution of marriage, legal separation or child support, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the support of the child, including an award retroactive to the date of filing the petition, without regard to marital misconduct, after considering all relevant factors including:

(1) The financial needs and resources of the child;

(2) The financial resources and needs of the parents;

(3) The standard of living the child would have enjoyed had the marriage not been dissolved;

(4) The physical and emotional condition of the child, and the child's educational needs;

(5) The child's physical and legal custody arrangements, including the amount of time the child spends with each parent and the reasonable expenses associated with the custody or visitation arrangements; and

(6) The reasonable work-related child care expenses of each parent.

2. The obligation of the parent ordered to make support payments shall abate, in whole or in part, for such periods of time in excess of thirty consecutive days that the other parent has voluntarily relinquished physical custody of a child to the parent ordered to pay child support, notwithstanding any periods of visitation or temporary physical and legal or physical or legal custody pursuant to a judgment of dissolution or legal separation or any modification thereof. In a IV-D case, the **family support** division [of child support enforcement] may determine the amount of the abatement pursuant to this subsection for any

child support order and shall record the amount of abatement in the automated child support system record established pursuant to chapter 454, RSMo. If the case is not a IV-D case and upon court order, the circuit clerk shall record the amount of abatement in the automated child support system record established in chapter 454, RSMo.

3. Unless the circumstances of the child manifestly dictate otherwise and the court specifically so provides, the obligation of a parent to make child support payments shall terminate when the child:

(1) Dies;

(2) Marries;

(3) Enters active duty in the military;

(4) Becomes self-supporting, provided that the custodial parent has relinquished the child from parental control by express or implied consent;

(5) Reaches age eighteen, unless the provisions of subsection 4 or 5 of this section apply; or

(6) Reaches age [twenty-two] **twenty-one**, unless the provisions of the child support order specifically extend the parental support order past the child's [twenty-second] **twenty-first** birthday for reasons provided by subsection 4 of this section.

4. If the child is physically or mentally incapacitated from supporting himself and insolvent and unmarried, the court may extend the parental support obligation past the child's eighteenth birthday.

5. If when a child reaches age eighteen, the child is enrolled in and attending a secondary school program of instruction, the parental support obligation shall continue, if the child continues to attend and progresses toward completion of said program, until the child completes such program or reaches age twenty-one, whichever first occurs. If the child is enrolled in an institution of vocational or higher education not later than October first

following graduation from a secondary school or completion of a graduation equivalence degree program and so long as the child enrolls for and completes at least twelve hours of credit each semester, not including the summer semester, at an institution of vocational or higher education and achieves grades sufficient to reenroll at such institution, the parental support obligation shall continue until the child completes his or her education, or until the child reaches the age of [twenty-two] **twenty-one**, whichever first occurs. To remain eligible for such continued parental support, at the beginning of each semester the child shall submit to each parent a transcript or similar official document provided by the institution of vocational or higher education which includes the courses the child is enrolled in and has completed for each term, the grades and credits received for each such course, and an official document from the institution listing the courses which the child is enrolled in for the upcoming term and the number of credits for each such course. **When enrolled in at least twelve credit hours, if the child receives two failing grades in any one semester, payment of child support may be terminated and shall not be eligible for reinstatement. If the child fails to produce the required documents, payment of child support may terminate without the accrual of any child support arrearage and shall not be eligible for reinstatement.** If the circumstances of the child manifestly dictate, the court may waive the October first deadline for enrollment required by this subsection. [If the child has pursued a path of continuous attendance and has demonstrated evidence of a plan to continue to do so, the court may enter a judgment abating support for a period of up to five months for any semester in which the child completes at least six but less than twelve credit hours; however, such five-month period of abatement shall only be granted one time for each child.] If the child is enrolled in such an institution, the child or parent obligated to pay support may petition the court to amend the order to direct the obligated parent to make the payments directly to

the child. As used in this section, an “institution of vocational education” means any postsecondary training or schooling for which the student is assessed a fee and attends classes regularly. “Higher education” means any junior college, community college, college, or university at which the child attends classes regularly. A child who has been diagnosed with a [learning] **developmental disability, as defined in section 630.005, RSMo,** or whose physical disability or diagnosed health problem limits the child's ability to carry the number of credit hours prescribed in this subsection, shall remain eligible for child support so long as such child is enrolled in and attending an institution of vocational or higher education, and the child continues to meet the other requirements of this subsection. **However, a parent who has a child diagnosed after age eighteen with a developmental or physical disability or diagnosed health care problem shall not be required to pay support after age twenty-one. Diagnosis prior to or after age eighteen shall be completed by two licensed physicians, one selected by each parent. Both physicians shall be in agreement for the diagnosis to be considered in the child support case. If a diagnosis of a developmental or physical disability or health care problem occurs prior to the dissolution of the marriage between a child's parents, then the original diagnosis made by a licensed physician prior to the dissolution of marriage will be sufficient for the diagnosis to be considered in the child support case.** A child who is employed at least fifteen hours per week during the semester may take as few as nine credit hours per semester and remain eligible for child support so long as all other requirements of this subsection are complied with.

6. The court shall consider ordering a parent to waive the right to claim the tax dependency exemption for a child enrolled in an institution of vocational or higher education in favor of the other parent if the application of state and federal tax

laws and eligibility for financial aid will make an award of the exemption to the other parent appropriate.

7. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child except for cases where the court specifically finds that such contact is not in the best interest of the child. In order to effectuate this public policy, a court with jurisdiction shall enforce visitation, custody and child support orders in the same manner. A court with jurisdiction may abate, in whole or in part, any past or future obligation of support and may transfer the physical and legal or physical or legal custody of one or more children if it finds that a parent has, without good cause, failed to provide visitation or physical and legal or physical or legal custody to the other parent pursuant to the terms of a judgment of dissolution, legal separation or modifications thereof. The court shall also award, if requested and for good cause shown, reasonable expenses, attorney's fees and court costs incurred by the prevailing party.

8. The Missouri supreme court shall have in effect a rule establishing guidelines by which any award of child support shall be made in any judicial or administrative proceeding. Said guidelines shall contain specific, descriptive and numeric criteria which will result in a computation of the support obligation. The guidelines shall address how the amount of child support shall be calculated when an award of joint physical custody results in the child or children spending substantially equal time with both parents. [Not later than October 1, 1998,] The Missouri supreme court shall publish child support guidelines and specifically list and explain the relevant factors and assumptions that were used to calculate the child support guidelines. Any rule made pursuant to this subsection shall be reviewed by the promulgating body not less than once every four years to ensure

that its application results in the determination of appropriate child support award amounts.

9. There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of the guidelines established pursuant to subsection 8 of this section is the correct amount of child support to be awarded. A written finding or specific finding on the record in a judicial or administrative proceeding that the application of the guidelines would be unjust or inappropriate in a particular case, after considering all relevant factors, including the factors set out in subsection 1 of this section, is required if requested by a party and shall be sufficient to rebut the presumption in the case. The written finding or specific finding on the record shall detail the specific relevant factors that required a deviation from the application of the guidelines.

10. Pursuant to this or any other chapter, when a court determines the amount owed by a parent for support provided to a child by another person, other than a parent, prior to the date of filing of a petition requesting support, or when the director of the **family support** division [of child support enforcement] establishes the amount of state debt due pursuant to subdivision (2) of subsection 1 of section 454.465, RSMo, the court or director shall use the guidelines established pursuant to subsection 8 of this section. The amount of child support resulting from the application of the guidelines shall be applied retroactively for a period prior to the establishment of a support order and the length of the period of retroactivity shall be left to the discretion of the court or director. There shall be a rebuttable presumption that the amount resulting from application of the guidelines under subsection 8 of this section constitutes the amount owed by the parent for the period prior to the date of the filing of the petition for support or the period for which state debt is being established. In applying the guidelines to determine a retroactive

support amount, when information as to average monthly income is available, the court or director may use the average monthly income of the noncustodial parent, as averaged over the period of retroactivity, in determining the amount of presumed child support owed for the period of retroactivity. The court or director may enter a different amount in a particular case upon finding, after consideration of all relevant factors, including the factors set out in subsection 1 of this section, that there is sufficient cause to rebut the presumed amount.

11. The obligation of a parent to make child support payments may be terminated as follows:

(1) Provided that the child support order contains the child's date of birth, the obligation shall be deemed terminated without further judicial or administrative process when the child reaches age [twenty-two] **twenty-one** if the child support order does not specifically require payment of child support beyond age [twenty-two] **twenty-one** for reasons provided by subsection 4 of this section;

(2) The obligation shall be deemed terminated without further judicial or administrative process when the parent receiving child support furnishes a sworn statement or affidavit notifying the obligor parent of the child's emancipation in accordance with the requirements of subsection 4 of section 452.370, and a copy of such sworn statement or affidavit is filed with the court which entered the order establishing the child support obligation, or the division of child support enforcement;

(3) The obligation shall be deemed terminated without further judicial or administrative process when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; which statement or affidavit is served by the court

or division on the child support obligee; and which is either acknowledged and affirmed by the child support obligee in writing, or which is not responded to in writing within thirty days of receipt by the child support obligee;

(4) The obligation shall be terminated as provided by this subdivision by the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; and which statement or affidavit is served by the court or division on the child support obligee. If the obligee denies the statement or affidavit, the court or division shall thereupon treat the sworn statement or affidavit as a motion to modify the support obligation pursuant to section 452.370 or section 454.496, RSMo, and shall proceed to hear and adjudicate such motion as provided by law; provided that the court may require the payment of a deposit as security for court costs and any accrued court costs, as provided by law, in relation to such motion to modify.

12. The court may enter a judgment terminating child support pursuant to subdivisions (1) to (3) of subsection 11 of this section without necessity of a court appearance by either party. The clerk of the court shall mail a copy of a judgment terminating child support entered pursuant to subsection 11 of this section on both the obligor and obligee parents. The supreme court may promulgate uniform forms for sworn statements and affidavits to terminate orders of child support obligations for use pursuant to subsection 11 of this section and subsection 4 of section 452.370.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references

accordingly.

In which the concurrence of the Senate is respectfully requested.

COMMUNICATIONS

Senator Coleman submitted the following:

April 29, 2007

Honorable Mike Gibbons
Senate President Pro Tem
State Capitol, Room 325
Jefferson City, MO 65101

In re: Michael L. Ocello - Small Business Regulatory Fairness Board

Senator Gibbons:

Per Section 536.305 RSMo, I am re-appointing Michael L. Ocello, 6161 Clifton Oaks Place, St. Louis, Missouri 63129, to the Small Business Regulatory Fairness Board. As per statute, Mr. Ocello represents the small business community. Mr. Ocello has been actively serving on this board and will continue to be a productive member of same.

Sincerely,

/s/ Maida J. Coleman

Also,

Senator Gibbons submitted the following:

April 26, 2007

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

RE: Appointment to Blue Ribbon Panel on Autism

Dear Ms. Spieler:

I am appointing the following senators to the Blue Ribbon Panel on Autism:

- Scott Rupp, Chairman
- Jolie Justus, Member

If you have any questions, please feel free to contact me at your earliest convenience.

Yours truly,

/s/ Michael R. Gibbons

MICHAEL R. GIBBONS

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Liz Heinz, Brittany Jones and Mark Samsel, students from Missouri Valley College, Marshall.

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

SENATE CALENDAR

SIXTY-THIRD DAY—TUESDAY, MAY 1, 2007

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 570-Clemens

SS#4 for SCS for SB 430-Shields

SENATE BILLS FOR PERFECTION

1. SB 644-Griesheimer
2. SBs 372 & 366-Justus and Koster, with SCS
3. SB 388-Mayer, with SCS

4. SB 225-Stouffer, with SCS
5. SB 571-Mayer, with SCS
6. SB 652-Coleman and Gibbons, with SCS

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| 7. SB 699-Lager, with SCS | 12. SBs 348, 626 & 461-Koster, et al, with SCS |
| 8. SB 11-Coleman, with SCS | 13. SJR 15-Green |
| 9. SB 536-Lager, with SCS | 14. SB 629-Smith, with SCS |
| 10. SB 552-Bartle | 15. SB 122-Bray and Days, with SCS |
| 11. SB 484-Stouffer, with SCS | 16. SB 491-Ridgeway |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HCS for HB 551, with SCS (Koster) | 10. HB 579-Dempsey, et al (Shields) |
| 2. HB 791-Wilson (130), et al, with SCS (Mayer) | 11. HB 462-Munzlinger, et al (Purgason) |
| 3. HCS for HB 74 (Scott) (In Fiscal Oversight) | 12. HB 134-Guest, et al (Nodler) (In Fiscal Oversight) |
| 4. HCS for HB 184 (Rupp) | 13. HCS for HB 894, with SCS (Days) |
| 5. HCS for HB 741 (Koster) | 14. HB 1014-Wright, et al, with SCS (Mayer) |
| 6. HCS for HB 182 | 15. HCS for HBs 654 & 938 (Crowell) |
| 7. HB 686-Smith (150) and Tilley (Stouffer) | 16. HJR 19-Bearden, et al (Ridgeway) |
| 8. HB 488-Wasson (Stouffer) (In Fiscal Oversight) | 17. HCS for HB 181 (Rupp) |
| 9. HCS for HB 165, with SCS | 18. HCS#2 for HB 28 (Mayer) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 303-Loudon

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 2-Gibbons, with SCS | SB 212-Goodman |
| SB 17-Shields, with SCS | SB 213-McKenna |
| SB 20-Griesheimer, with SCS | SB 242-Nodler, with SCS |
| SB 27-Bartle and Koster | SB 250-Ridgeway and Vogel |
| SB 53-Koster and Engler, with SCS | SB 252-Ridgeway and McKenna |
| SB 101-Mayer | SB 254-Nodler, et al, with SCS |
| SB 131-Rupp | SBs 260 & 71-Koster, et al, with SCS |
| SB 153-Engler, et al, with SCS | SB 274-Shields |
| SB 155-Engler, with SCS & SS for SCS (pending) | SB 282-Griesheimer, with SCS & SS for SCS (pending) |
| SB 160-Rupp, with SCS | SB 287-Crowell and Vogel, with SS (pending) |
| SB 168-Mayer and Crowell, with SCS, SS for SCS & SA 1 (pending) | SB 292-Mayer |
| SB 169-Rupp, with SCS, SS for SCS & SA 3 (pending) | SB 297-Loudon, with SCS |
| SB 205-Stouffer and Gibbons, with SCS | SB 300-Bartle |

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|---|---|
| SB 341-Goodman, with SCS | SB 523-Scott, with SCS |
| SB 363-Bartle | SB 531-Gibbons, with SCS |
| SB 364-Koster, with SCS, SS for SCS, SA 1 & SSA 1 for SA 1 (pending) | SB 534-Nodler |
| SBs 370, 375 & 432-Scott and Koster, with SCS & SA 5 (pending) | SB 537-Lager |
| SB 385-Gibbons, with SCS | SB 542-Scott, with SCS |
| SB 400-Crowell, et al | SBs 555 & 38-Gibbons, with SCS |
| SB 444-Goodman | SB 563-Lager, with SCS & SS for SCS (pending) |
| SB 453-Scott, with SCS | SB 572-Vogel |
| SB 458-Gibbons | SB 586-Crowell, with SCS |
| SB 476-Crowell | SB 592-Scott, with SCS |
| SB 480-Ridgeway, et al, with SCS | SB 599-Engler, with SCS |
| SB 492-Crowell | SB 627-Ridgeway |
| SB 499-Engler and Clemens, with SCS | SB 635-Loudon, with SCS |
| SB 511-Scott, with SCS | SBs 660, 553, 557, 167, 258, 114 & 378-Mayer, with SCS |
| SB 521-Lager, et al, with SCS | SB 698-Ridgeway, et al, with SCS |

HOUSE BILLS ON THIRD READING

| | |
|--|--|
| HCS for HB 39, with SCS (Koster) | HCS for HBs 444, 217, 225, 239, 243, 297, 402 & 172, with SCS (Crowell) |
| HB 41-Portwood, with SCS (Loudon) | HB 454-Jetton, et al (Mayer) |
| HB 46-Viebrock and Stevenson (Stouffer) | HB 467-Cox (Scott) |
| HB 69-Day, with SCS (Barnitz) | HCS for HB 469, with SCS (Crowell) |
| HB 125-Franz, with SCS (Shoemyer) | HB 489-Baker (123), et al, with SCS (Shields) |
| HCS for HB 135, with SCS (Koster) | HB 526-Pratt (Loudon) |
| HB 155-Dusenberg, et al (Ridgeway) | HB 554-Cooper (155), et al (Engler) |
| HB 205-Marsh, et al (Griesheimer) | HCS for HB 555 (Engler) |
| HB 220-Stevenson (Nodler) | HB 596-St. Onge, with SCS (Stouffer) |
| HCS for HB 221 (Loudon) | HCS for HB 620, with SCS (Ridgeway) |
| HB 255-Bruns, with SCS (Vogel) | HB 740-Pearce, with SCS (Koster) |
| HB 265-Cunningham (86) (Rupp) | HB 744-St. Onge (Stouffer) |
| HB 267-Jones (117) and Cunningham (86) (Rupp) | HCS for HB 774 (Crowell) |
| HB 269-Nolte, et al (Ridgeway) | HCS for HB 780, with SCS (Scott) |
| HCS for HB 272 (Goodman) | HB 875-Franz, with SCS (Purgason) |
| HCS for HB 298, with SCS (Engler) | HCS for HJR 1, with SCS (Rupp) |
| HCS for HB 346 (Clemens) | HJR 7-Nieves, et al, with SCS (pending) (Engler) |
| HB 352-Hobbs, et al (Gibbons) | |
| HB 428-Cox (Scott) | |

CONSENT CALENDAR

Senate Bills

Reported 2/8

SB 211-Goodman

Reported 2/15

SB 8-Kennedy

Reported 3/8

SB 185-Green

House Bills

Reported 4/5

HB 576-Cooper (120), et al (Clemens)

HB 264-Cunningham (86) (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 25-Champion, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 30-Nodler and Ridgeway, with HCS,
as amended

SB 233-Crowell, with HAs 1, 2, 3, 4 & 5
SCS for SB 308-Crowell, et al, with HCS,
as amended

SB 376-Griesheimer, with HCS, as amended

HB 1 (Icet), with SCS (Gross)

HCS for HB 2, with SCS (Gross)

HCS for HB 3, with SCS (Gross)

HCS for HB 4, with SCS (Gross)

HCS for HB 5, with SCS (Gross)

HCS for HB 6, with SCS (Gross)

HCS for HB 7, with SCS (Gross)

HCS for HB 8, with SCS (Gross)

HCS for HB 9, with SCS (Gross)

HCS for HB 10, with SCS (Gross)

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

HCS for HB 12, with SCS (Gross)

HCS for HB 13, with SCS (Gross)

HCS for HB 327, with SS for SCS,
as amended (Griesheimer)

Requests to Recede or Grant Conference

SCS for SB 64-Goodman and Koster, with
HCS, as amended (Senate requests
House recede or grant conference)
SB 81-Griesheimer, with HCS, as amended
(Senate requests House recede or
grant conference)

SCS for SB 198-Mayer, with HCS (Senate
requests House recede or grant
conference)

RESOLUTIONS

Reported from Committee

HCR 15-Threlkeld, et al, with SCS
(Shields)

SCR 10-Koster and Shields
HCR 25-Yates, et al (Bartle)

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