

# Journal of the Senate

SECOND REGULAR SESSION

---

**TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 21, 2008**

---

The Senate met pursuant to adjournment.

Senator Ridgeway in the Chair.

Reverend Carl Gauck offered the following prayer:

“Because he is bound to me in love, therefore will I deliver him; I will protect him because he knows my name.” (Psalm 91)

Merciful God, we call upon You this day to watch our going out and our coming in. That You will protect us as we drive home this day and bring us safely to those we love. Guide and direct us this day and lead us along Your right pathways. 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

Barnitz	Bartle	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	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 Bray—1

Vacancies—None

## RESOLUTIONS

Senator Smith offered Senate Resolution No. 1927, regarding Dr. Terrance Freeman, which was adopted.

Senator Smith offered Senate Resolution No. 1928, regarding Dr. Octavia M. Peck-Palmer, which was adopted.

Senator Smith offered Senate Resolution No. 1929, regarding Dr. Samuel Achileful, which was adopted.

Senator Smith offered Senate Resolution No. 1930, regarding Irving Blue, which was adopted.

Senator Vogel offered the following resolution:

SENATE RESOLUTION NO. 1931

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2008 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-fourth General Assembly, hereby grant the 2008 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 29, 2008, from 1:00 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Vogel requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1931** up for adoption, which request was granted.

On motion of Senator Vogel, **SR 1931** was adopted.

**INTRODUCTION OF BILLS**

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

**SB 1168**—By Dempsey and Smith.

An Act to repeal section 385.050, RSMo, and to enact in lieu thereof one new section relating to premium refund calculations for credit insurance.

**SB 1169**—By Champion.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to a school-based influenza vaccination pilot program.

**SB 1170**—By Mayer.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the rebuild Missouri schools program.

**REPORTS OF STANDING COMMITTEES**

Senator Gibbons, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Kylee M. Strough, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

Randall M. Wheeler, Theodore L. Martin and Keith M. Henderson, as members of the State Blasting Safety Board;

Also,

Gary F. Toelke and Michael R. Covington, as members of the Amber Alert System Oversight Committee;

Also,

Gregory B. Allen and Anne G. Rottmann, as members of the State Historical Records Advisory Board;

Also,

Weldon R. Brady, Republican, as a member of the University of Central Missouri Board of Governors;

Also,

David J. Bywater, Democrat, as a member of the Amusement Ride Safety Board;

Also,

Gregory A. Roebach, as a member of the State Committee for Professional Counselors;

Also,

William F. Horn, Jr., as a member of the Missouri Planning Council on Development Disabilities.

Senator Gibbons requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Gibbons moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

### **THIRD READING OF SENATE BILLS**

**SS** for **SCS** for **SB 718**, introduced by Senator Kennedy, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 718**

An Act to repeal sections 32.105, 135.815, 135.967, 620.495, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof seven new sections relating to certain programs administered by the department of economic development.

Was taken up.

On motion of Senator Kennedy, **SS** for **SCS** for **SB 718** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Loudon	McKenna	Nodler	Purgason	Ridgeway

Rupp                      Scott                      Shields                      Shoemyer                      Smith                      Stouffer                      Vogel                      Wilson—32

NAYS—Senators—None

Absent—Senator Mayer—1

Absent with leave—Senator Bray—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SB 762**, introduced by Senator Wilson, et al, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to anti-bullying policies.

Was taken up.

On motion of Senator Wilson, **SB 762** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Bray—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SB 1038**, introduced by Senator Shields, entitled:

An Act to repeal sections 130.016, 130.021, 130.037, 130.050 and 130.072, RSMo, and section 130.032 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for

senate committee substitute for senate bill no. 16, eighty-ninth general assembly, first regular session, and section 130.032 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof six new sections relating to campaign finance, with an emergency clause.

Was taken up.

On motion of Senator Shields, **SB 1038** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Callahan	Champion	Clemens	Crowell	Engler	Gibbons	Goodman
Green	Griesheimer	Kennedy	Koster	Lager	Loudon	Mayer	McKenna
Nodler	Purgason	Ridgeway	Rupp	Scott	Shields	Stouffer	Vogel—24

NAYS—Senators

Barnitz	Coleman	Days	Dempsey	Graham	Justus	Shoemyer	Smith
Wilson—9							

Absent—Senators—None

Absent with leave—Senator Bray—1

Vacancies—None

The President declared the bill passed.

The emergency clause failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Bartle	Callahan	Champion	Clemens	Crowell	Dempsey	Engler	Goodman
Green	Lager	Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway
Scott	Shields	Shoemyer	Stouffer	Vogel—21			

NAYS—Senators

Barnitz	Coleman	Days	Gibbons	Graham	Griesheimer	Justus	Kennedy
Koster	Rupp	Smith	Wilson—12				

Absent—Senators—None

Absent with leave—Senator Bray—1

Vacancies—None

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

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

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

**SENATE BILLS FOR PERFECTION**

Senator Gibbons moved that **SB 711**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the

Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 2** was again taken up.

Senator Mayer assumed the Chair.

Senator Ridgeway offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 51, Section 163.044, Line 21 of said page, by inserting after all of said line the following:

“164.151. 1. The questions on bond issues in all districts shall be submitted in substantially the following form:

Shall the .... board of education borrow money in the amount of .... dollars for the purpose of .... and issue bonds for the payment thereof **resulting in an estimated increase to the debt service property tax levy of ..... (amount of estimated increase) per one hundred dollars of assessed valuation? If this proposition is approved, the adjusted debt service levy of the school district is estimated to increase from ..... (amount of current school district levy) to ..... (estimated adjusted debt service levy) per one hundred dollars assessed valuation of real and personal property.**

2. If the constitutionally required number of the votes cast are for the loan, the board may, subject to the restrictions of section 164.161, borrow money in the name of the district, to the amount and for the purpose specified in the notices aforesaid, and issue bonds of the district for the payment thereof.”; and

Further amend the title and enacting clause accordingly.

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

Senator Callahan offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 49, Section 139.031, Line 19, by inserting after all of said line the following:

**“139.051. 1. The county collector in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall allow for the payment of all or any part of current and delinquent real property taxes, in equal quarterly installments over a period of time not greater than one year. The right to pay such taxes in installments shall be limited to taxpayers who own in fee simple real property and the real property is used by the owner as the owner's principal residence, or when jointly owned, the property is used by all joint owners as their principal residence.**

**2. Any delinquent taxes shall bear interest at the rate provided by section 140.100, RSMo, and shall be subject to the fees provided by law. A quarterly installment payment shall not be delinquent unless it is beyond thirty days past due.**

**3. The county official charged with the duties of the collector shall issue receipts for any installment payments.**

**4. Installment payments made at any time during a tax year shall not affect the taxpayer's right**

to protest the amount of such tax payments under applicable provisions of law.

**5. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations which they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulation, as amended.”; and**

Further amend said bill, Page 49, Section 139.052, Line 20 of said page, by inserting after “1.” the following: **“Except as provided in section 139.051,”**; and

Further amend the title and enacting clause accordingly.

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

Senator Ridgeway offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 1, Section A, Line 9 of said page, by inserting after all of said line the following:

**“52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability imposed [on him] by law. No penalty or interest imposed under any law shall be charged on any real or personal property tax when there is clear and convincing evidence that the county made an error or omission in determining taxes owed by a taxpayer.**

**2. The county collector shall refund penalties, interest, and taxes if the county made an error or omission in determining taxes owed by the taxpayer. Any taxpayer claiming that the county made an error or omission in determining taxes owed may submit a written request for a refund of penalties, interest, or taxes to the county commission or governing body of the county. If the county commission or governing body of the county approves the refund, then such penalties, interest, or taxes shall be refunded as provided in subsection 5 of section 139.031, RSMo. The county commission shall approve or disapprove the taxpayer's written request within thirty days of receiving said request.**

**3. Nothing in this section shall relieve a taxpayer from paying taxes owed by December 31st and paying penalties and interest owed for failing to pay all taxes by December 31st.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Rupp offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 34, Section 137.275, Line 15 of said page, by inserting immediately after said line the following:

**“137.335. The state tax commission shall design the necessary assessment blanks, which shall contain a classification of all tangible personal property, and the blanks shall be furnished to the county assessor sixty days before January first of each year. After receiving the form of the assessment blanks, the assessor or his deputies shall, between the first day of January and the fifteenth day of May of each year, unless the**

time be extended for good cause shown by order of the county commission for a period expiring not later than May thirty-first, make and complete a list of all real and tangible personal property taxable by the county and assess the property at its true value in money; **except that in counties with a charter form of government, such list shall be completed not later than July first.**”; and

Further amend said bill, page 36, section 137.355, line 1 of said page, by inserting immediately after said line the following:

“137.375. 1. The assessor shall make out and return to the county commission, on or before the fifteenth day of May in every year, unless such time be extended as provided in section 137.335, **except in counties with a charter form of government where the return date shall be July first**, the assessor's book, verified by his affidavit annexed thereto, in the following words:

..... being duly sworn makes oath and says that he has made diligent efforts to ascertain all the taxable property being or situate on the first day of January last past, in the county of which he is assessor; that, so far as he has been able to ascertain the same, it is correctly set forth in the foregoing book, in the manner and the value thereof stated therein, according to the mode required by law.

2. The clerk of the county commission shall immediately make out an abstract of the assessment book, showing aggregate footings of the different columns, so as to set forth the aggregate amounts of the different kinds of real and tangible personal property and the valuation thereof, and forward the abstract to the state tax commission.

3. Upon failure to make out and forward the abstract to the state tax commission on or before the tenth day of June or within the additional time allowed by the county commission, **or by July tenth in counties with a charter form of government**, the clerk shall upon conviction be deemed guilty of a misdemeanor.

137.390. After the assessor's book shall be corrected and adjusted according to law, but not later than September twentieth of each year, **or in the case of counties with a charter form of government, not later than October first**, the county commission shall ascertain the sum necessary to be raised for county purposes, and fix the rate of taxes on the several subjects of taxation so as to raise the required sum, and the same shall be entered in proper columns in the tax book.”; and

Further amend said bill, page 37, section 137.490, line 27 of said page, by inserting immediately after said line the following:

“137.510. The assessor shall make up the assessment plat books or records in convenient alphabetical or numerical order from the reports made by the deputy assessors, the lists, statements or returns made of real or tangible personal property, his own view, or the best information he can otherwise obtain, and complete said assessment plat books or records on or before [the first Monday in May] **July first** of each year.

137.515. After the assessment plat books or records have been corrected, the assessor shall make an abstract thereof showing the amount of the several kinds of property assessed and specifying the amount of value of all taxable property within the city, and certify thereon that the same is a true and correct abstract of all such property in the city so far as he has been able to ascertain. One copy of the abstract, verified by his oath, shall be delivered on or before the twentieth day of [June] **July** to the mayor, and another to the state tax commission.”; and

Further amend the title and enacting clause accordingly.



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

Senator Dempsey assumed the Chair.

Senator Shoemyer offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 4, Section 67.110, Line 19 of said page, by inserting after all of said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”, a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106, RSMo, in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) “Gross rent”, amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for

which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) “Homestead”, the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. “Owned” includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) “Income”, Missouri adjusted gross income as defined in section 143.121, RSMo, less [two] **twenty** thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) “Property taxes accrued”, property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then “property taxes accrued” is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are “levied” when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, “property taxes accrued” means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision “unit” refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) “Rent constituting property taxes accrued”, twenty percent of the gross rent paid by a claimant and spouse in the calendar year.”; and

Further amend said bill, Page 5, Section 135.030, Line 6 of said page, by inserting after “dollars” the following: “. **For all calendar years beginning on or after January 1, 2009, the maximum upper limit shall be the sum of thirty-two thousand dollars**”; and further amend line 11 of said page, by inserting after “dollars.” the following: “**For all calendar years beginning on or after January 1, 2009, the minimum base shall be the sum of eighteen thousand dollars.**”; and

Further amend the title and enacting clause accordingly.

Senator Shoemyer moved that the above amendment be adopted.

Senator Gibbons offered **SSA 1** for **SA 6**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR  
SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 4, Section 67.110, Line 19 of said page, by inserting after all of said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”, a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106, RSMo, in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) “Gross rent”, amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of

revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars, **or in the case of a homestead owned and occupied, for the entire year, by the claimant, less ten thousand dollars** as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes

accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year."; and

Further amend said bill, Page 5, Section 135.030, Line 6 of said page, by inserting after "dollars" the following: "**. In the case of a homestead owned and occupied, for the entire year, by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars**"; and further amend line 11 of said page, by inserting after "dollars." the following: "**In the case of a homestead owned and occupied, for the entire year, by the claimant, the minimum base shall be the sum of fifteen thousand dollars.**"; and

Further amend the title and enacting clause accordingly.

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

Senator Gibbons offered **SA 7**:

**SENATE AMENDMENT NO. 7**

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 42, Section 138.180, Line 14 of said page, by inserting immediately after said line the following:

"138.380. It shall be the duty of the state tax commission, and the commissioners shall have authority, to perform all duties enumerated in this section and such other duties as may be provided by law:

(1) To raise or lower the assessed valuation of any real or tangible personal property, including the power to raise or lower the assessed valuation of the real or tangible personal property of any individual, copartnership, company, association or corporation; provided, that before any such assessment is so raised, notice of the intention of the commission to raise such assessed valuation and of the time and place at which a hearing thereon will be held, shall be given to such individual, copartnership, company, association or corporation as provided in sections 138.460 and 138.470;

(2) To require from any officer in this state, on forms prescribed by the commission, such annual or other reports as shall enable said commission to ascertain the assessed and equalized value of all real and tangible property listed for taxation, the amount of taxes assessed, collected and returned, and such other matter as the commission may require, to the end that it may have complete information concerning the entire subject of revenue and taxation and all matters and things incidental thereto;

(3) To cause to be placed upon the assessment rolls at any time during the year omitted property which may be discovered to have, for any reason, escaped assessment and taxation, and to correct any errors that may be found on the assessment rolls and to cause the proper entry to be made thereon;

(4) To investigate the tax laws of other states and countries, to formulate and submit to the legislature such recommendations as the commission may deem expedient to prevent evasions of the assessment and taxing laws, whether the tax is specific or general, to secure just, equal and uniform taxes, and improve the system of assessment and taxation in this state;

(5) To prescribe the form of all blanks and books that are used in the assessment and collection of the

general property tax, except as otherwise provided by law; **and**

**(6) To develop, or enter into contracts with entities for the development of, computer software programs sufficient to produce the projected tax liability notices required under subsections 2 and 3 of section 137.180, subsection 2 of section 137.355, and subsection 2 of section 137.490. Upon receiving a request, filed by a collector of any county or any city not within the county, the commission shall provide the collector with such computer software programs.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Gibbons offered **SA 8**:

#### SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 31, Section 137.243, Line 4, by striking the word “county”; and

Further amend said bill, section and page, line 7, by striking the word “county”; and

Further amend said bill, section and page, line 11, by inserting immediately after the word “county”, the following:

**“, or in the city for any city not within a county,”; and**

Further amend said bill, section and page, line 16, by striking the word “county”; and

Further amend said bill, section and page, line 17, by striking the word “county”; and

Further amend said bill, section and page, line 20, by striking the word “county”; and

Further amend said bill, section and page, line 22, by inserting immediately after “137.180”, the following: **“, 137.355,”**.

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

Senator Gibbons moved that **SS** for **SCS** for **SB 711**, as amended, be adopted, which motion prevailed.

On motion of Senator Gibbons, **SS** for **SCS** for **SB 711**, as amended, was declared perfected and ordered printed.

Senator Mayer assumed the Chair.

Senator Ridgeway moved that **SB 1066** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Ridgeway offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Bill No. 1066, Page 2, Section 168.021, Line 42, by striking the following: “elementary” and inserting in lieu thereof the following: **“early childhood education, elementary education,”; and**

Further amend said bill and section, page 5, line 146, by inserting after all of said line the following:

**“8. The provisions of subdivision (4) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate**

on August 28, 2014.”

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

Senator Bartle offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 1066, Page 2, Section 168.021, Line 22, by inserting after “program” the following:

“, **mathematics program, or science program**”; and

Further amend said bill and section, page 5, line 146 by inserting after all of said line the following:

**“168.630. 1. In order to attract and retain teachers with demonstrable or measurable qualities, experience, or credentials in the areas of math or science, the board of education for a school district may adopt a policy to provide additional stipends or bonuses to teachers of mathematics or science, irrespective of any collective bargaining agreement. The school board shall determine the amount of any such stipend.**

**2. Notwithstanding any other provision of law to the contrary, no school board shall enter into any contract or collective bargaining agreement that limits their ability to pay such stipends or bonuses.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Green offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 1066, Page 5, Section 168.021, Line 146, by inserting immediately after said line the following:

**“Section 1. Notwithstanding any provision of law to the contrary, the state auditor shall have the power to audit any school district within the state in the same manner as the auditor may audit any agency of the state.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Coleman offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 1066, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Education”, which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.**

**2. The committee shall meet at least twice a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee.**

3. The committee shall select either a chairman or cochairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.

4. The committee shall:

(1) Review and monitor the progress of education in the state's public schools and institutions of higher education;

(2) Receive reports from the commissioner of education concerning the public schools and from the commissioner of higher education concerning institutions of higher education;

(3) Conduct a study and analysis of the public school system;

(4) Make recommendations to the general assembly for legislative action;

(5) Conduct an in-depth study concerning all issues relating to the equity and adequacy of the distribution of state school aid, teachers' salaries, funding for school buildings, and overall funding levels for schools and any other education funding-related issues the committee deems relevant;

(6) Monitor the establishment of performance measures as required by section 173.1006, RSMo, and report on their establishment to the governor and the general assembly;

(7) Conduct studies and analysis regarding:

(a) The higher education system, including financing public higher education and the provision of financial aid for higher education; and

(b) The feasibility of including students enrolled in proprietary schools, as that term is defined in section 173.600, RSMo, in all state-based financial aid programs;

(8) Annually review the collection of information under section 173.093, RSMo, to facilitate a more accurate comparison of the actual costs at public and private higher education institutions;

(9) Within three years of August 28, 2007, review a new model for the funding of public higher education institutions upon submission of such model by the coordinating board for higher education;

(10) Within three years of August 28, 2007, review the impact of the higher education student funding act established in sections 173.1000 to 173.1006;

**(11) Beginning August 28, 2008, upon review, approve or deny any expenditures made by the commissioner of education pursuant to section 160.530, as provided in subsection 5 of section 160.530.**

5. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of elementary and secondary education, the department of higher education, the coordinating board for higher education, the state tax commission, the department of economic development, all school districts and other political subdivisions of this state, teachers and teacher groups, business and other commercial interests and any other interested persons.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order to be eligible for state aid distributed pursuant to section 163.031, RSMo, a school district shall allocate one percent of



moneys received pursuant to section 163.031, RSMo, exclusive of categorical add-ons, to the professional development committee of the district as established in subdivision (1) of subsection 4 of section 168.400, RSMo. Of the moneys allocated to the professional development committee in any fiscal year as specified by this subsection, seventy-five percent of such funds shall be spent in the same fiscal year for purposes determined by the professional development committee after consultation with the administrators of the school district and approved by the local board of education as meeting the objectives of a school improvement plan of the district that has been developed by the local board. Moneys expended for staff training pursuant to any provisions of this act shall not be considered in determining the requirements for school districts imposed by this subsection.

2. Beginning with fiscal year 1994 and for all fiscal years thereafter, eighteen million dollars [of the moneys appropriated to the department of elementary and secondary education otherwise distributed to the public schools of the state pursuant to the provisions of section 163.031, RSMo, exclusive of categorical add-ons,] shall be distributed by the commissioner of education to address statewide areas of critical need for learning and development, **provided that such disbursements are approved by the joint committee on education as provided in subsection 5 of this section, and** as determined by rule and regulation of the state board of education with the advice of the commission established by section 160.510 and the advisory council provided by subsection 1 of section 168.015, RSMo. The moneys described in this subsection may be distributed by the commissioner of education to colleges, universities, private associations, professional education associations, statewide associations organized for the benefit of members of boards of education, public elementary and secondary schools, and other associations and organizations that provide professional development opportunities for teachers, administrators, family literacy personnel and boards of education for the purpose of addressing statewide areas of critical need, provided that subdivisions (1), (2) and (3) of this subsection shall constitute priority uses for such moneys. "Statewide areas of critical need for learning and development" shall include:

(1) Funding the operation of state management teams in districts with academically deficient schools and providing resources specified by the management team as needed in such districts;

(2) Funding for grants to districts, upon application to the department of elementary and secondary education, for resources identified as necessary by the district, for those districts which are failing to achieve assessment standards;

(3) Funding for family literacy programs;

(4) Ensuring that all children, especially children at risk, children with special needs, and gifted students are successful in school;

(5) Increasing parental involvement in the education of their children;

(6) Providing information which will assist public school administrators and teachers in understanding the process of site-based decision making;

(7) Implementing recommended curriculum frameworks as outlined in section 160.514;

(8) Training in new assessment techniques for students;

(9) Cooperating with law enforcement authorities to expand successful antidrug programs for students;

(10) Strengthening existing curricula of local school districts to stress drug and alcohol prevention;

(11) Implementing and promoting programs to combat gang activity in urban areas of the state;

(12) Establishing family schools, whereby such schools adopt proven models of one-stop state services for children and families;

(13) Expanding adult literacy services; and

(14) Training of members of boards of education in the areas deemed important for the training of effective board members as determined by the state board of education.

3. Beginning with fiscal year 1994 and for all fiscal years thereafter, two million dollars of the moneys appropriated to the department of elementary and secondary education otherwise distributed to the public schools of the state pursuant to the provisions of section 163.031, RSMo, exclusive of categorical add-ons, shall be distributed in grant awards by the state board of education, by rule and regulation, for the “Success Leads to Success” grant program, which is hereby created. The purpose of the success leads to success grant program shall be to recognize, disseminate and exchange information about the best professional teaching practices and programs in the state that address student needs, and to encourage the staffs of schools with these practices and programs to develop school-to-school networks to share these practices and programs.

4. The department shall include a listing of all expenditures under this section in the annual budget documentation presented to the governor and general assembly.

**5. Prior to distributing any funds under subsection 2 of this section, the commissioner of education shall appear before the joint committee on education and present a proposed delineation of the programs to be funded under the provisions of subsection 2 of this section. The joint committee shall review all proposed spending under subsection 2 of this section and shall affirm, by a majority vote of all members serving on the committee, the spending proposal of the commissioner prior to any disbursement of funds under subsection 2 of this section.**

**6. If any provision of subdivision (11) of subsection 4 of section 160.254 or any provision of subsections 2 or 5 of this section regarding approval of disbursements by the joint committee on education are held to be invalid for any reason, then such decision shall invalidate subsection 2 of this section in its entirety.”; and**

Further amend the title and enacting clause accordingly.

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

On motion of Senator Ridgeway, **SB 1066**, as amended, was declared perfected and ordered printed.

### 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 passed **HCS** for **HJR 55**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to pray.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Gibbons assumed the Chair.

### **REPORTS OF STANDING COMMITTEES**

On behalf of Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, Senator Shields submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **SB 1007**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **SB 1008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Scott, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which were referred **SB 909**, **SB 954**, **SB 934** and **SB 1003**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 1061**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 999**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 952**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 850**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Ways and Means, to which was referred **SB 749**, 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 reports:

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which

was referred **SB 896**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 1039**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 729**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Champion, Chairman of the Committee on Seniors, Families and Public Health, Senator Shields submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **SB 768**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **SB 776**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 1002**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SB 714**, **SB 933**, **SB 899** and **SB 758**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SJR 34** and **SJR 30**, 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 report:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 898**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crowell, Chairman of the Committee on Pensions, Veterans' Affairs and General Laws,

submitted the following reports:

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which were referred **SB 993** and **SB 770**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **SB 991**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Education, to which was referred **SB 873**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 846**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 942**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Commerce, Energy and the Environment, to which were referred **SB 712** and **SB 882**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Transportation, to which was referred **SB 809**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which were referred **SB 753**, **SB 728**, **SB 906** and **SB 1026**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 936**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 841**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 955**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 856**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Goodman, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 930** and **SB 947**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nodler assumed the Chair.

### **INTRODUCTION OF BILLS**

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

**SB 1171**—By Goodman.

An Act to repeal section 313.812, RSMo, and to enact in lieu thereof one new section relating to the issuance of licenses to operate excursion gambling boats, with penalty provisions.

**SB 1172**—By Goodman.

An Act to repeal sections 571.010 and 571.070, RSMo, and to enact in lieu thereof two new sections relating to explosive weapons, with penalty provisions.

**SB 1173**—By Stouffer.

An Act to repeal section 197.318, RSMo, and to enact in lieu thereof one new section relating to the transfer of long-term care beds to certain new health care facilities.

### **REFERRALS**

President Pro Tem Gibbons referred **SCR 32** and **HCR 4** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Gibbons referred **SB 901**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

### **SECOND READING OF SENATE BILLS**

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

**SB 1162**—Financial and Governmental Organizations and Elections.

**SB 1163**—Judiciary and Civil and Criminal Jurisprudence.

**SB 1164**—Small Business, Insurance and Industrial Relations.

**SB 1165**—Judiciary and Civil and Criminal Jurisprudence.

**SB 1166**—Health and Mental Health.

**SB 1167**—Pensions, Veterans' Affairs and General Laws.

**RE-REFERRALS**

President Pro Tem Gibbons re-referred **SB 1117** to the Committee on Commerce, Energy and the Environment.

**RESOLUTIONS**

Senator Goodman offered Senate Resolution No. 1174, regarding the Thirty-fifth Wedding Anniversary of Mr. and Mrs. Samuel Goodman, Pierce City, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Stouffer introduced to the Senate, Jon and Darla Dwiggin, Macon.

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, February 25, 2008.

SENATE CALENDAR

---

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 25, 2008

---

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1168-Dempsey and Smith  
SB 1169-Champion  
SB 1170-Mayer  
SB 1171-Goodman

SB 1172-Goodman  
SB 1173-Stouffer  
SJR 46-Purgason  
SJR 47-Wilson and Coleman

HOUSE BILLS ON SECOND READING

HB 1661-LeVota, et al  
HCS for HB 1380  
HB 1386-Cox and Ruestman  
HB 1313-Wright, et al  
HB 1311-Hoskins  
HB 1628-Cooper (120)  
HB 1670-Cooper (120)

HB 1320-Brown (50)  
HCS for HB 1305  
HB 1656-Nance and Cooper (120)  
HCS for HB 1575  
HB 1354-Wilson (119), et al  
HCS for HJR 55

## SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| 1. SB 1007-Loudon  | 9. SB 898-Clemens, with SCS                  |
| 2. SBs 909, 954, 934 & 1003-Engler, with SCS               | 10. SBs 993 & 770-Crowell, with SCS          |
| 3. SB 749-Ridgeway, with SCS                               | 11. SB 873-Graham, with SCS                  |
| 4. SB 729-Griesheimer, with SCS                            | 12. SB 846-Rupp, with SCS                    |
| 5. SB 768-Rupp and Gibbons, with SCS                       | 13. SBs 712 & 882-Gibbons and Rupp, with SCS |
| 6. SB 776-Justus and Koster, with SCS                      | 14. SB 809-Stouffer, with SCS                |
| 7. SBs 714, 933, 899 & 758-Loudon and<br>Gibbons, with SCS | 15. SBs 930 & 947-Stouffer, with SCS         |
| 8. SJRs 34 & 30-Crowell and Coleman,<br>with SCS           |  |

## INFORMAL CALENDAR

## SENATE BILLS FOR PERFECTION

- |  |                                     |
|--|-------------------------------------|
| SB 720-Coleman, with SCS                     | SB 788-Scott, with SCS              |
| SB 726-Shields, with SCS                     | SB 806-Engler, with SCS             |
| SB 732-Champion, et al, with SCS             | SBs 818 & 795-Rupp, et al, with SCS |
| SBs 747 & 736-Ridgeway and Gibbons, with SCS | SB 821-Shoemyer, with SCS           |
| SBs 754 & 794-Mayer and Loudon, with SCS     | SBs 840 & 857-Engler, with SCS      |
| SB 759-Stouffer, with SCS                    | SB 907-Engler and Gibbons, with SCS |
| SBs 761 & 774-Stouffer, with SCS             | SB 929-Green and Callahan, with SCS |
| SB 765-Goodman, et al, with SCS              | SB 958-Goodman                      |
| SB 778-Justus, with SCS                      | SB 997-Crowell                      |
| SB 781-Smith, with SCS                       |                                     |

## CONSENT CALENDAR

## Senate Bills

## Reported 2/7

- |                    |                           |
|--------------------|---------------------------|
| SB 978-Griesheimer | SB 760-Stouffer, with SCS |
|--------------------|---------------------------|

## Reported 2/14

- |   |                        |
|---|------------------------|
| SB 901-Loudon, et al, with SCS<br>(In Fiscal Oversight) | SB 723-Scott           |
| SB 970-Scott  | SB 951-Scott, with SCS |
| SB 953-Scott  | SB 1010-Nodler         |
|   | SB 1068-Mayer          |



Reported 2/21

SB 1008-Loudon, with SCS  
SB 1061-Barnitz  
SB 999-Scott  
SB 952-Scott, with SCS  
SB 850-Justus, with SCS  
SB 896-Stouffer  
SB 1039-Clemens, with SCS  
SB 1002-Justus, et al

SB 991-Loudon and Kennedy  
SB 942-Clemens, with SCS  
SBs 753, 728, 906 & 1026-Mayer, with SCS  
SB 936-Griesheimer  
SB 841-Stouffer  
SB 955-Shields  
SB 856-Engler

