

# Journal of the Senate

SECOND REGULAR SESSION

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SIXTY-THIRD DAY—TUESDAY, MAY 6, 2008

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“That which you see and hear, you cannot help; but that which you say depends on you alone.” (Zohar)

Gracious God, we are thankful for our time here and the collegiality and winsomeness that this session has offered us. We are mindful of our words and what is said and their effect on others so help us to remain engaging and helpful to one another so our efforts continue to produce what is needed and necessary. 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	Bray	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—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Dempsey assumed the Chair.

### **RESOLUTIONS**

Senators Rupp and Dempsey offered Senate Resolution No. 2607, regarding Culver's of St. Charles, which was adopted.

Senators Rupp and Dempsey offered Senate Resolution No. 2608, regarding Environmental Systems Research Institute, Inc., St. Charles, which was adopted.

Senators Rupp and Dempsey offered Senate Resolution No. 2609, regarding SYSCO, St. Charles, which was adopted.

Senator Koster offered Senate Resolution No. 2610, regarding Ballard High School, which was adopted.

Senator Bray offered Senate Resolution No. 2611, regarding Daryl Sappington, Brentwood, which was adopted.

Senator Stouffer offered Senate Resolution No. 2612, regarding Roy "Skip" Vandelicht, Fayette, which was adopted.

Senator Stouffer offered Senate Resolution No. 2613, regarding Ann Schafer, Fayette, which was adopted.

Senator Stouffer offered Senate Resolution No. 2614, regarding Krista Merrifield Salyer, Blackwater, which was adopted.

Senator Stouffer offered Senate Resolution No. 2615, regarding Susan Todd, Malta Bend, which was adopted.

Senator Stouffer offered Senate Resolution No. 2616, regarding Deborah Kay Bollmeyer, which was adopted.

Senator Crowell offered Senate Resolution No. 2617, regarding Kody Campbell, Oran, which was adopted.

Senator Crowell offered Senate Resolution No. 2618, regarding Jodi Urhahn, Oran, which was adopted.

Senator Stouffer offered Senate Resolution No. 2619, regarding Kelly Brandt, Concordia, which was adopted.

Senator Stouffer offered Senate Resolution No. 2620, regarding Whitney Wallace, Clinton, which was adopted.

Senator Crowell offered Senate Resolution No. 2621, regarding Michelle Essner, Oran, which was adopted.

Senator Clemens offered Senate Resolution No. 2622, regarding Robert Allan Barns, Ozark, which was adopted.

Senator Vogel offered Senate Resolution No. 2623, regarding Marsha Buckner, Jefferson City, which was adopted.

Senator Rupp offered Senate Resolution No. 2624, regarding Derrick Blake McKee, Jr., Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 2625, regarding Asia S. McGee, Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 2626, regarding Michelle Landers, Weldon Spring, which was adopted.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 1779**, as amended, and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1779**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 724**, as amended and grants the Senate a conference thereon; and further that the conferees be allowed to exceed the differences by exempting collaborative practice arrangements within certain population-based public health services, as described in 20 CSR 2150-5.100, from the limitations contained in section 334.104, RSMo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2002** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2002**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2003** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2003**.

### THIRD READING OF SENATE BILLS

**SCS** for **SB 1170**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1170

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

Was taken up by Senator Mayer.

On motion of Senator Mayer, **SCS** for **SB 1170** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Crowell	Days	Dempsey
Engler	Gibbons	Goodman	Graham	Griesheimer	Justus	Kennedy	Lager

Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—30		

NAYS—Senator Bartle—1

Absent—Senators

Green	Koster—2
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Absent with leave—Senator Coleman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Crowell	Days	Dempsey
Engler	Gibbons	Goodman	Graham	Griesheimer	Justus	Kennedy	Lager
Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—30		

NAYS—Senator Bartle—1

Absent—Senators

Green	Koster—2
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Absent with leave—Senator Coleman—1

Vacancies—None

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

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

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

### HOUSE BILLS ON SECOND READING

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

**HCS for HB 2260—Ways and Means.**

### REFERRALS

President Pro Tem Gibbons referred **HCS for HB 2058**, with **SCS**, and **HCS for HBs 1321 and 1695**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Gibbons appointed the following conference committee to act with a like committee from the House on **HCS for SCS for SB 724**, as amended: Senators Scott, Champion, Purgason, Green and

Kennedy.

**CONFERENCE COMMITTEE REPORTS**

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2002** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Gary Nodler  
/s/ Robert N. Mayer  
/s/ Joan Bray  
/s/ Timothy P. Green  
/s/ Scott Rupp

**FOR THE HOUSE:**

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
Rachel Bringer  
Sara Lampe

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	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 Coleman—1

Vacancies—None

Senator Shields announced that photographers from KSHB were given permission to take pictures in

the Senate Chamber today.

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2002**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	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 Coleman—1

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2003** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee

Substitute for House Bill No. 2003.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler

/s/ Robert N. Mayer

/s/ Joan Bray

/s/ Timothy P. Green

/s/ Scott Rupp

FOR THE HOUSE:

/a/ Allen Icet

/s/ Ed Robb

/s/ Rick Stream

Rachel Bringer

Sara Lampe

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

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	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 Coleman—1

Vacancies—None

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2003**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bartle	Bray	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—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### CONCURRENT RESOLUTIONS

Senator Shoemyer moved that **SCR 35** be taken up for adoption, which motion prevailed.

On motion of Senator Shoemyer, **SCR 35** was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman	Green	Griesheimer	Kennedy	Koster
Lager	Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Scott
Shields	Shoemyer	Stouffer	Vogel—28				

NAYS—Senators

Dempsey	Graham	Rupp	Smith	Wilson—5
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Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

Senator Griesheimer moved that **HCR 30**, with **SCS**, be taken up for adoption, which motion prevailed.

**SCS** for **HCR 30** was taken up.

Senator Griesheimer moved that **SCS** for **HCR 30** be adopted.

Senator Griesheimer offered **SS** for **SCS** for **HCR 30**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, competition in the voice communications industry is developing rapidly and is widespread in the State of Missouri; and



WHEREAS, Missouri law governing the telecommunications industry must evolve to meet the needs of Missouri consumers; and

WHEREAS, consumer choice in voice communications is available through the traditional wireline, wireless, cable, and interconnected voice over Internet protocol industries; and

WHEREAS, the methodology by which carriers are compensated for the use of their network is, by its nature, complex, detailed, and inter-related to numerous other economic forces; and

WHEREAS, the need to make equitable changes in the inter-carrier compensation regime will require a comprehensive, holistic, and deliberate approach to reform; and

WHEREAS, due to the complex nature of inter-carrier compensation, comprehensive study and discussion is required; and

WHEREAS, pricing of voice telecommunications services is important to promote competition for the long-term benefit of consumers; and

WHEREAS, a forum for review and discussion between these very competitive industries will aid in addressing the concerns of both the industry and consumers:

NOW THEREFORE BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, that to ensure that thoughtful and necessary changes to the regulation of voice communications in Missouri and the need to protect Missouri consumers and provide them with more communications choices, the General Assembly must endeavor to comprehensively study further the matters detailed herein; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on Voice Communications Regulation to be composed of ten members, five of which shall be from the House of Representatives with three appointed by the Speaker of the House and two appointed by the Minority Floor Leader of the House, and five members shall be from the Senate with three appointed by the President Pro Tem of the Senate and two appointed by the Minority Floor Leader of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-fourth General Assembly through January 15, 2009, of the First Regular Session of the Ninety-fifth General Assembly to study the following:

- (1) The need to make changes to the inter-carrier compensation system wherein voice communications providers exchange traffic on other provider's networks; and
- (2) The issue of whether market-based pricing exists in the voice telecommunications industry, and any recommended action to be taken by the General Assembly, if any; and
- (3) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the General Assembly by January 15, 2009; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, consumer advocates, political subdivisions of this State, and the general public; and

BE IT FURTHER RESOLVED that the staffs of House Research, the Joint Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

Senator Griesheimer moved that **SS** for **SCS** for **HCR 30** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	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—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Griesheimer moved that **HCR 30**, as amended by the Senate Substitute, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	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—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 2004** and has taken up and passed **CCS** for **SCS** for **HB 2004**.

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

### RECESS

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

Photographers from the Columbia Missourian were given permission to take pictures in the Senate Chamber today.

### RESOLUTIONS

Senator Crowell offered Senate Resolution No. 2627, regarding Franklin Elementary School, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2628, regarding Phillip Daniel Henderson, Washington, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2629, regarding Jean Hines, Sullivan, which was adopted.

Senator Mayer offered Senate Resolution No. 2630, regarding Jessica Polk, Piedmont, which was adopted.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2005** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2005** as amended by House Perfecting Amendment 1.

#### HOUSE PERFECTING AMENDMENT NO. 1

Amend Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 2005, Section 5.490, Page 16, Line 3 by deleting the numeral "25" and inserting in lieu thereof the numeral "35"; and

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

### REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 944**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

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

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 2279**, with **SCS**; **HCS** for **HB 1550**; **HB 1923**; and **HCS** for **HB 1516**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

### CONFERENCE COMMITTEE REPORTS

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 2004** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2004, begs leave

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

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
 /s/ Robert N. Mayer  
 /s/ Joan Bray  
 /s/ Timothy P. Green  
 /s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
 /s/ Ed Robb  
 /s/ Rick Stream  
 /s/ Rachel Storch  
 /s/ Sam Komo

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

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Dempsey
Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Kennedy	Koster
Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—30		

NAYS—Senators

Bartle Purgason—2

Absent—Senators

Days Justus—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nodler, **CCS** for **SCS** for **HB 2004**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days
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Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Kennedy
Koster	Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—31	

NAYS—Senators

Bartle            Purgason—2

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2005** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler

/s/ Robert N. Mayer

/s/ Joan Bray

/s/ Scott Rupp

/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Allen Icet

/s/ Ed Robb

/s/ Rick Stream

/s/ Rachel Storch

/s/ Sam Komo

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

## YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway
Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—32

## NAYS—Senators

Bartle	Purgason—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2005**, as amended by **HPA 1**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

## YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway
Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—32

## NAYS—Senators

Bartle	Purgason—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2006** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2006**.

**CONFERENCE COMMITTEE REPORTS**

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2006** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Gary Nodler  
/s/ Robert N. Mayer  
/s/ Joan Bray  
/s/ Timothy P. Green  
/s/ Scott Rupp

**FOR THE HOUSE:**

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Belinda Harris  
/s/ Tom Shively

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

**YEAS—Senators**

Barnitz	Bray	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—32

**NAYS—Senators**

Bartle                      Callahan—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2006**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bray	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—32

NAYS—Senators

Bartle            Callahan—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**MESSAGES FROM THE HOUSE**

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

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



refuses to adopt **SCS** for **HCS** for **HB 2023** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

### **PRIVILEGED MOTIONS**

Senator Nodler moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 2023**, 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 **HCS** for **HB 2023**: Senators Nodler, Mayer, Rupp, Bray and Green.

### **HOUSE BILLS ON THIRD READING**

Senator Clemens moved that **HB 1711**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HB 1711**, as amended, was again taken up.

At the request of Senator Clemens, **SS** for **SCS** for **HB 1711**, as amended, was withdrawn.

Senator Clemens offered **SS No. 2** for **SCS** for **HB 1711**, entitled:

#### **SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1711**

An Act to repeal sections 44.090, 48.030, 49.310, 72.080, 82.516, 86.200, 86.287, 88.917, 94.900, 94.902, 96.160, 99.820, 137.092, 144.030, 155.010, 182.707, 190.094, 190.107, 190.335, 231.444, 247.031, 321.015, 321.200, 478.466, 546.902, and 701.355, RSMo, and section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, and section 99.825 as enacted by senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, and to enact in lieu thereof thirty-eight new sections relating to political subdivisions, with penalty provisions, and an emergency clause for a certain section.

Senator Clemens moved that **SS No. 2** for **SCS** for **HB 1711** be adopted.

Senator Rupp assumed the Chair.

Senator Dempsey offered **SA 1**:

#### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 105, Section 247.031, Line 2 of said page, by inserting immediately after said line the following:

“311.332. 1. [Except as provided in subsections 2 and 3 of this section,] It shall be unlawful for any wholesaler licensed to sell intoxicating liquor and wine containing alcohol in excess of five percent by

weight to persons duly licensed to sell such intoxicating liquor and wine at retail, to discriminate between retailers or in favor of or against any retailer or group of retailers, directly or indirectly, in price, in discounts for time of payment, or in discounts on quantity of merchandise sold, or to grant directly or indirectly any discount, rebate, free goods, allowance or other inducement, excepting a discount not in excess of one percent for quantity of liquor and wine, and a discount not in excess of one percent for payment on or before a certain date. The delivery of manufacturer rebate coupons by wholesalers to retailers shall not be a violation of this subsection.

2. [Except as provided in subsection 3 of this section, any wholesaler licensed to sell intoxicating liquor and wine containing alcohol in excess of five percent by weight to persons duly licensed to sell such intoxicating liquor and wine at retail may offer a price reduction of not more than four percent of the wholesaler's price schedule for any brand, age, proof, and size bottle or package. Such price reduction shall apply for a thirty-day period, shall not be offered by any wholesaler more than three times in any calendar year, and shall not be offered during successive months.

3. Any wholesaler licensed to sell intoxicating liquor and wine containing alcohol in excess of five percent by weight to persons duly licensed to sell such intoxicating liquor and wine at retail may offer a price reduction of more than four percent of the scheduled price on close-out merchandise. "Close-out merchandise" is any item which has been in the wholesaler's inventory for more than six months. The price of close-out merchandise may be decreased, but shall not be increased, monthly for up to and including twelve consecutive months. A wholesaler shall not purchase any item of intoxicating liquor or wine of the same year and vintage the wholesaler has classified as close-out merchandise during the period of such classification. A wholesaler shall not purchase, sell, or offer to sell any item of intoxicating liquor or wine of the same year and vintage the wholesaler has classified as close-out merchandise until twenty-four months have elapsed since the wholesaler's last offer to sell the item as close-out merchandise.

**4.] If any provision of this section or the application thereof to anyone or to any circumstance is held invalid, the remainder of the section and the application of such provisions to others or other circumstances shall not be affected thereby.**

3. Manufacturers or wholesalers shall be permitted to donate or deliver or cause to be delivered beer, wine, brandy, or nonintoxicating beer for nonresale purposes to any unlicensed person or any licensed retail dealer who is a charitable or religious organization as defined in section 313.005, RSMo, or educational institution, at any location or licensed premises, provided, such beer, wine, brandy, or nonintoxicating beer is unrelated to the organization's or institution's licensed retail operation. A charge for admission to an event or activity at which beer, wine, brandy, or nonintoxicating beer is available without separate charge shall not constitute resale for the purposes of this subsection. Wine used in religious ceremonies may be sold by wholesalers to a religious organization as defined in section 313.005, RSMo. Any manufacturer or wholesaler providing nonresale items shall keep a record of any deliveries made pursuant to this subsection.

[5.] 4. Manufacturers, wholesalers, retailers and unlicensed persons may donate wine in the original package to a charitable or religious organization as defined in section 313.005, RSMo, or educational institution for the sole purpose of being auctioned by the organization or institution for fund-raising purposes, provided the auction takes place on a retail-licensed premises and all proceeds from the sale go into a fund of an organization or institution that is unrelated to any licensed retail operation.

311.333. Any wholesaler licensed [under this chapter to sell intoxicating liquors and wines may accept the return of any intoxicating liquor containing alcohol in excess of five percent by weight and wines as

provided by rules and regulations promulgated by the supervisor of liquor control, pursuant to chapter 536, RSMo] **to sell intoxicating liquor or wine containing alcohol in excess of five percent by weight to persons duly licensed to sell such intoxicating liquor and wine at retail shall make available to all such retailers, on the fifteenth day of each month or on the next business day thereafter, information regarding all products which shall be available for sale in the next month. Such information shall include the exact brand or trade name, capacity of individual packages, nature of contents, age and proof, the per bottle and per case price which shall be offered to all retailers, the number of bottles contained in each case, and the size thereof. The price provided to retailers under this provision shall become effective on the first date of the next month and remain in effect until the last day of that month.**

311.335. 1. Any wholesaler licensed to sell intoxicating liquor and wine containing alcohol in excess of five percent by weight [pursuant to chapter 311] shall ship and deliver **such** intoxicating liquor and wine to a retailer [in the amount for which the scheduled price set forth on the invoice is in effect] **at a price which is currently in effect for that calendar month and provided to the retailer under section 311.333.**

2. Such wholesaler licensed to sell intoxicating liquor and wine containing alcohol in excess of five percent by weight shall not take an order for delivery in a month subsequent to the month in which the order is taken, provided that on [and after the date on which amended price schedules are filed with the supervisor of liquor control] **the last date of each month**, orders may be taken for delivery in the following month at the price in effect for that following month and provided, further, that for any order received within the last three business days of a month, the wholesaler may, with the consent of the retailer placing such order [or upon the request of the retailer placing such order], deliver such order to the retailer within the first three business days of the month following the month in which the order was received by such wholesaler at the price in effect for the month in which the order was placed. Such order received within the last three business days of a month and delivered within the first three business days of the subsequent month shall be known as a “delayed shipment”. A delayed shipment shall be deemed delivered on the last business day of the month in which the order was received for purposes of implementing and enforcing rules and regulations of the supervisor of [liquor] **alcohol and tobacco** control relating to invoicing, discounts and ordinary commercial credit terms.

3. Any wholesaler licensed to sell intoxicating liquor or wine containing alcohol in excess of five percent by weight [violating any provision of this section shall be subject to, and punished pursuant to, the penalties and provisions of section 311.680] **to persons duly licensed to sell such intoxicating liquor and wine at retail may offer a price reduction of more than four percent of the price provided to retailers under section 311.333 on close-out merchandise. As used in this section, the term “close-out merchandise” shall mean any item which has been in the wholesaler's inventory for more than six months. The price of the close-out merchandise may be decreased, but shall not be increased, monthly for up to and including twelve consecutive months. A wholesaler shall not purchase any item of intoxicating liquor or wine of the same year and vintage the wholesaler has classified as close-out merchandise during the period of such classification. A wholesaler shall not purchase, sell, or offer to sell any item of intoxicating liquor or wine of the same year and vintage the wholesaler has classified as close-out merchandise until twenty-four months have elapsed since the wholesaler's last offer to sell the item as close-out merchandise.**

311.338. Any person violating any provisions of sections 311.332 [to 311.336], **311.333, and 311.335**

shall be deemed guilty of a misdemeanor, and it shall be the duty of the supervisor of liquor control to suspend or revoke the license of any wholesaler violating any of the provisions of sections 311.332 [to 311.336], **311.333, and 311.335**.

311.490. No person, partnership or corporation engaged in the brewing, manufacture or sale of beer as defined, in this chapter, or other intoxicating malt liquor, shall use in the manufacture or brewing thereof, or shall sell any such beer or other intoxicating malt liquor which contains ingredients not in compliance with the following standards:

(1) Beer shall be brewed from malt or a malt substitute, which only includes rice, grain of any kind, bean, glucose, sugar, and molasses. Honey, fruit, fruit juices, fruit concentrate, herbs, spices, and other food materials may be used as adjuncts in fermenting beer;

(2) Flavor and other nonbeverage ingredients containing alcohol may be used in producing beer, but may contribute to no more than forty-nine percent of the overall alcohol content of the finished beer. In the case of beer with an alcohol content of more than six percent by volume, no more than one and one-half percent of the volume of the beer may consist of alcohol derived from added flavors and other nonbeverage ingredients containing alcohol; and

(3) Beer, intoxicating malt liquor, and malt beverages, as defined in this section, shall not be subject to the requirements of [subsections] **subsection 1** [2, and 3] of section 311.332 and sections [311.334 to **311.335 and 311.338**]; and

Further amend said bill, page 111, section 701.355, line 8 of said page, by inserting immediately after said line the following:

“[311.334. No intoxicating liquor and wine of any kind shall be sold by a wholesaler to a retailer duly licensed to sell intoxicating liquor and wine at retail, or purchased by a wholesaler for a retailer or by a retailer through a wholesaler, unless a schedule as provided by this section shall be filed by the wholesaler with the supervisor of liquor control and is then in effect. The schedule shall be in writing, duly verified and filed in the number of copies and in such form as required by the supervisor, and shall contain with respect to each item thereon the exact brand or trade name, capacity of package, nature of contents, age and proof, the per bottle and per case price to retailers, the number of bottles contained in each case, and the size thereof, which prices shall be individual for each item, and not in “combination” with any other item or items, the discounts for quantity, if any, and the discounts for time of payment, if any.]

[311.336. Each such schedule shall be filed on or before the tenth day of each month, and the prices and discounts therein set forth shall become effective on the first day of the calendar month following the filing thereof, and shall be in effect for and during such calendar month. Within ten days after the filing of such schedule the supervisor shall make all of such schedules or a composite thereof available for inspection by all wholesale licensees. Within three days, excluding Sundays, after such inspection is provided for, a wholesaler may amend his filed schedule for sales to a retailer, or purchase for a retailer or by a retailer through a wholesaler in order to meet lower competing prices and discounts for liquor or wine of the same brand and trade name and of like age and quality, filed pursuant to this section or section 311.334 by any licensee selling such brand; provided, however, such amended prices may not be lower and discounts not greater than those to be met. Any amended schedule so filed shall become effective on the first day of the calendar month following the filing thereof, and shall be in effect for and during such

calendar month. No brand of liquor or wine shall be sold or purchased for a retailer by a wholesaler or by a retailer through a wholesaler except at the price or prices then in effect according to the wholesaler's filed schedule, and no discount shall be granted except as set forth in the schedule then in effect. All schedules filed shall be subject to public inspection from the time that they are required to be made available for inspection by licensees and shall not be in any manner considered confidential. Each wholesaler shall retain in his licensed premises for inspection by licensees a copy of his filed schedules then in effect. The supervisor of liquor control may make such rules and regulations as shall be appropriate to carry out the purpose of this section and sections 311.332 and 311.334.]”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted.

Senator Clemens raised the point of order that **SA 1** is out of order as it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Shoemyer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 69, Section 137.1040, Line 27 of said page, by inserting immediately after said line the following:

“140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or neighborhood improvement district special assessments are delinquent and unpaid are subject to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments as provided for in this chapter on the fourth Monday in August of each year.

2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county or city taxes or special assessments without judicial proceedings, unless the notice of sale contains the names of all record owners thereof, or the names of all owners appearing on the land tax book and all other information required by law. Delinquent taxes or unpaid special assessments, penalty, interest and costs due thereon may be paid to the county collector at any time before the property is sold therefor. **The collector is required to send notices to the publicly recorded owner of record before any delinquent and unpaid taxes or unpaid special assessments as specified in this section subject to sale are published. The first notice is to be by first class mail and the second notice is to be sent by certified mail. If the certified mailing is returned to the collector unsigned, then notice, before the sale, is to be sent by first class mail at least fifteen days prior to the fourth Monday in August. The postage for the mailing of the notices shall be furnished by the county commission. The failure of the taxpayer or the publicly recorded owner to receive the notice provided for in this section in no case relieves such taxpayer or publicly recorded owner of any tax liability imposed by law.**

3. The entry in the back tax book by the county clerk of the delinquent lands, lots, mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes or unpaid special assessments as provided in section 67.469, RSMo, together with penalty, interest and costs.

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or collector of any

county within the state of Missouri, and the same sells for a greater amount than the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the county, when such sale has been or may hereafter be made, to make a written statement describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and all costs in the case together with the amount of surplus money in each case. The statement shall be subscribed and sworn to by the sheriff or collector making it before some officer competent to administer oaths within this state, and then presented to the county commission of the county where the sale has been or may be made; and on the approval of the statement by the commission, the sheriff or collector making the same shall pay the surplus money into the county treasury, take the receipt in duplicate of the treasurer for the overplus of money and retain one of the duplicate receipts himself and file the other with the county commission, and thereupon the commission shall charge the treasurer with the amount.

2. The treasurer shall place such moneys **in the county treasury to be held for the use and benefit of the person entitled to such moneys or** to the credit of the school fund of the county, to be held in trust for the term of three years for the owner or owners or their legal representatives. At the end of three years, if such fund shall not be called for, then it shall become a permanent school fund of the county.

3. County commissions shall compel owners or agents to make satisfactory proof of their claims before receiving their money; provided, that no county shall pay interest to the claimant of any such fund.

140.250. 1. Whenever any lands have been or shall hereafter be offered for sale for delinquent taxes, interest, penalty and costs by the collector of the proper county for any two successive years and no person shall have bid therefor a sum equal to the delinquent taxes thereon, interest, penalty and costs provided by law, then such county collector shall at the next regular tax sale of lands for delinquent taxes sell same to the highest bidder, and there shall be a ninety-day period of redemption from such sales as specified in section 140.405.

2. No certificate of purchase shall issue as to such sales, but the purchaser at such sales shall be entitled to the issuance and delivery of a collector's deed upon completion of title search action as specified in section 140.405.

3. If any lands or lots are not sold at such third offering, then the collector, in his discretion, need not again advertise or offer such lands or lots for sale more often than once every five years after the third offering of such lands or lots, and such offering shall toll the operation of any applicable statute of limitations.

4. A purchaser at any sale subsequent to the third offering of any land or lots, **whether by the collector or a trustee as provided in section 140.260**, shall be entitled to the immediate issuance and delivery of a collector's deed and there shall be no period of redemption from such sales **after the third offering**; provided, however, before any purchaser at a sale to which this section is applicable shall be entitled to a collector's deed it shall be the duty of the collector to demand, and the purchaser to pay, in addition to his bid, all taxes due and unpaid on such lands or lots that become due and payable on such lands or lots subsequent to the date of the taxes included in such advertisement and sale. **The collector's deed or trustee's deed shall have priority over all other liens or encumbrances on the property sold except for real property taxes or federal liens.**

5. In the event the real purchaser at any sale to which this section is applicable shall be the owner of the lands or lots purchased, or shall be obligated to pay the taxes for the nonpayment of which such lands or lots were sold, then no collector's deed shall issue to such purchaser, or to anyone acting for or on behalf

of such purchaser, without payment to the collector of such additional amount as will discharge in full all delinquent taxes, penalty, interest and costs.

140.260. 1. It shall be lawful for the county commission of any county, and the comptroller, mayor and president of the board of assessors of the city of St. Louis, to designate and appoint a suitable person or persons with discretionary authority to bid at all sales to which section 140.250 is applicable, and to purchase at such sales all lands or lots necessary to protect all taxes due and owing and prevent their loss to the taxing authorities involved from inadequate bids.

2. Such person or persons so designated are hereby declared as to such purchases and as titleholders pursuant to collector's deeds issued on such purchases, to be trustees for the benefit of all funds entitled to participate in the taxes against all such lands or lots so sold.

3. Such person or persons so designated shall not be required to pay the amount bid on any such purchase but the collector's deed issuing on such purchase shall recite the delinquent taxes for which said lands or lots were sold, the amount due each respective taxing authority involved, and that the grantee in such deed or deeds holds title as trustee for the use and benefit of the fund or funds entitled to the payment of the taxes for which said lands or lots were sold.

4. The costs of all collectors' deeds, the recording of same and the advertisement of such lands or lots shall be paid out of the county treasury in the respective counties and such fund as may be designated therefor by the authorities of the city of St. Louis.

5. All lands or lots so purchased shall be sold and deeds ordered executed and delivered by such trustees upon order of the county commission of the respective counties and the comptroller, mayor and president of the board of assessors of the city of St. Louis, and the proceeds of such sales shall be applied, first, to the payment of the costs incurred and advanced, and the balance shall be distributed pro rata to the funds entitled to receive the taxes on the lands or lots so disposed of, **and then any excess proceeds shall be distributed to the county treasurer to be held for the use and benefit of the person or persons entitled to such proceeds.**

6. Upon appointment of any such person or persons to act as trustee as herein designated a certified copy of the order making such appointment shall be delivered to the collector, and if such authority be revoked a certified copy of the revoking order shall also be delivered to the collector.

7. Compensation to trustees as herein designated shall be payable solely from proceeds derived from the sale of lands purchased by them as such trustees and shall be fixed by the authorities herein designated, but not in excess of ten percent of the price for which any such lands and lots are sold by the trustees; provided further, that if at any such sale any person bid a sufficient amount to pay in full all delinquent taxes, penalties, interest and costs, then the trustees herein designated shall be without authority to further bid on any such land or lots. **If a third party is a successful bidder and there are excess proceeds, such proceeds shall be distributed as provided in subsection 5 of this section.**

8. If the county commission of any county does not designate and appoint a suitable person or persons as trustee or trustees, so appointed, or the trustee or trustees do not accept property after the third offering where no sale occurred then it shall be at the discretion of the collector to sell such land subsequent to the third offering of such land and lots at any time and for any amount.

140.290. 1. After payment shall have been made the county collector shall give the purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry a numerical number

and which shall describe the land so purchased, each tract or lot separately stated, the total amount of the tax, with penalty, interest and costs, and the year or years of delinquency for which said lands or lots were sold, separately stated, and the aggregate of all such taxes, penalty, interest and costs, and the sum bid on each tract.

2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax, penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also be noted in the certificate of purchase, in a separate column to be provided therefor. Such certificate of purchase shall also recite the name and address of the owner or reputed owner if known, and if unknown then the party or parties to whom each tract or lot of land was assessed, together with the address of such party, if known, and shall also have incorporated therein the name and address of the purchaser. Such certificate of purchase shall also contain the true date of the sale and the time when the purchaser will be entitled to a deed for said land, if not redeemed as in this chapter provided, and the rate of interest that such certificate of purchase shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such certificate shall be authenticated by the county collector, who shall record the same in a permanent record book in his office before delivery to the purchaser.

3. Such certificate shall be assignable, but no assignment thereof shall be valid unless endorsed on such certificate and acknowledged before some officer authorized to take acknowledgment of deeds and an entry of such assignment entered in the record of said certificate of purchase in the office of the county collector.

4. For each certificate of purchase issued, including the recording of the same, the county collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid by the person requesting such recital of assignment, and which shall not be treated as a part of the cost of the sale.

5. No collector shall be authorized to issue a certificate of purchase to any nonresident of the state of Missouri or to enter a recital of any assignment of such certificate upon his record to a nonresident of the state, until such purchaser or assignee of such purchaser, as the case may be, shall have complied with the provisions of section 140.190 pertaining to nonresident purchasers.

**6. This section shall not apply to any post-third year tax sale.**

140.310. 1. The purchaser of any tract or lot of land at sale for delinquent taxes, homesteads excepted, shall at any time after one year from the date of sale be entitled to the immediate possession of the premises so purchased during the redemption period provided for in this law, unless sooner redeemed; provided, however, any owner or occupant of any tract or lot of land purchased may retain possession of said premises by making a written assignment of, or agreement to pay, rent certain or estimated to accrue during such redemption period or so much thereof as shall be sufficient to discharge the bid of the purchaser with interest thereon as provided in the certificate of purchase.

2. The purchaser, his heirs or assigns, may enforce his rights under said written assignment or agreement in any manner now authorized or hereafter authorized by law for the collection of delinquent and unpaid rent; provided further, nothing herein contained shall operate to the prejudice of any owner not in default and whose interest in the tract or lot of land is not encumbered by the certificate of purchase, nor shall it prejudice the rights of any occupant of any tract or lot of land not liable to pay taxes thereon nor such occupant's interest in any planted, growing or unharvested crop thereon.

3. Any additions or improvements made to any tract or lot of land by any occupant thereof, as tenant



or otherwise, and made prior to such tax sale, which such occupant would be permitted to detach and remove from the land under his contract of occupancy shall also, to the same extent, be removable against the purchaser, his heirs or assigns.

4. Any rent collected by the purchaser, his heirs or assigns, shall operate as a payment upon the amount due the holder of such certificate of purchase, and such amount or amounts, together with the date paid and by whom shall be endorsed as a credit upon said certificate, and which said sums shall be taken into consideration in the redemption of such land, as provided for in this chapter.

5. Any purchaser, heirs or assigns, in possession within the period of redemption against whom rights of redemption are exercised shall be protected in the value of any planted, growing and/or unharvested crop on the lands redeemed in the same manner as such purchaser, heirs or assigns would be protected in valuable and lasting improvements made upon said lands after the period of redemption and referred to in section 140.360.

**6. The one-year redemption period shall not apply to third year tax sales, but the ninety-day redemption period as provided in section 140.405 shall apply to such sales. There shall be no redemption period for a post-third year tax sale.**

140.340. 1. The owner or occupant of any land or lot sold for taxes, or any other persons having an interest therein, may redeem the same at any time during the one year next ensuing, in the following manner: by paying to the county collector, for the use of the purchaser, his heirs or assigns, the full sum of the purchase money named in his certificate of purchase and all the cost of the sale, **including the cost of the title search and mailing of notification required in sections 140.250 to 140.405**, together with interest at the rate specified in such certificate, not to exceed ten percent annually, except on a sum paid by a purchaser in excess of the delinquent taxes due plus costs of the sale, no interest shall be owing on the excess amount, with all subsequent taxes which have been paid thereon by the purchaser, his heirs or assigns, with interest at the rate of eight percent per annum on such taxes subsequently paid, and in addition thereto the person redeeming any land shall pay the costs incident to entry of recital of such redemption.

2. Upon deposit with the county collector of the amount necessary to redeem as herein provided, it shall be the duty of the county collector to mail to the purchaser, his heirs or assigns, at the last post office address if known, and if not known, then to the address of the purchaser as shown in the record of the certificate of purchase, notice of such deposit for redemption.

3. Such notice, given as herein provided, shall stop payment to the purchaser, his heirs or assigns, of any further interest or penalty.

4. In case the party purchasing said land, his heirs or assigns, fails to take a tax deed for the land so purchased within six months after the expiration of the one year next following the date of sale, no interest shall be charged or collected from the redemptioner after that time.

140.405. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.420, until the [person] **purchaser** meets [with the following requirement or until such person makes affidavit that a title search has revealed no publicly recorded deed of trust, mortgage, lease, lien or claim on the real estate] **the requirements of this section**. [At least] **The purchaser shall obtain a title search from a licensed attorney, abstract or title company** ninety days prior to the date when a purchaser is authorized to acquire the deed, **however, such deed shall not be acquired prior to the expiration date of the redemption period as provided in section 140.340**. The

purchaser shall notify any person who holds a publicly recorded deed of trust, mortgage, lease, lien or claim upon that real estate of the latter person's right to redeem such person's publicly recorded security or claim. Notice shall be sent by certified mail to any such person, including one who was the publicly recorded owner of the property sold at the delinquent land tax auction previous to such sale, at such person's last known available address, **except that no ninety-day notice is required for post-third year tax sales as provided in subsection 4 of section 140.250. The ninety-day period as permitted by law shall begin on the date immediately at such time a purchaser provides the collector an original affidavit specifying the required title search is complete, a copy of the title search, the notices sent by certified mail, and the mail certifications and receipts.** Failure of the purchaser to comply with this provision shall result in such purchaser's loss of all interest in the real estate. **Provided further, any such publicly recorded owner of the property sold at the delinquent land tax auction desiring to transact or transfer ownership of property during the ninety-day period, shall first redeem such property pursuant to the provisions in section 140.340, prior to executing any such transactions or transfers of ownership of property. Failure of the publicly recorded owner of the property to comply with this provision, prior to transacting or transferring ownership of such property, shall result in such publicly recorded owner's loss of all interest in the real estate or the publicly recorded owner shall reimburse the purchaser for all the cost of the sale, including the cost of the title search and mailing of notification required in sections 140.250 to 140.405, together with interest at the rate specified in the certificate of purchase, not to exceed ten percent annually, and make further reimbursement for any taxes that the purchaser may have paid plus eight percent interest on such taxes.** If any real estate is purchased at a third-offering tax auction and has a publicly recorded deed of trust, mortgage, lease, lien or claim upon the real estate, the purchaser of said property at a third-offering tax auction shall notify anyone with a publicly recorded deed of trust, mortgage, lease, lien or claim upon the real estate pursuant to this section **within forty-five days after the purchase at the collector's sale.** Once the purchaser has [notified] **provided** the county collector [by affidavit that proper notice has been given] **the required documents, pursuant to this section,** anyone with a publicly recorded deed of trust, mortgage, lease, lien or claim upon the property shall have ninety days to redeem said property or be forever barred from redeeming said property, **except that no notice is required for post-third year tax sales as provided in subsection 4 of section 140.250.** If the county collector chooses to have the title search done then the county collector must comply with all provisions of this section, and may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

140.420. If no person shall redeem the lands sold for taxes, **if redemption is allowed,** within one year [from the sale] **or within ninety days of the notice as specified in section 140.405 after a third-year tax sale,** at the expiration thereof, and on production of certificate of purchase, the collector of the county in which the sale of such lands took place shall execute to the purchaser, his heirs or assigns, in the name of the state, a conveyance of the real estate so sold, which shall vest in the grantee an absolute estate in fee simple, subject, however, to all claims thereon for unpaid taxes except such unpaid taxes existing at time of the purchase of said lands and the lien for which taxes was inferior to the lien for taxes for which said tract or lot of land was sold.”; and

Further amend the title and enacting clause accordingly.

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

Senator Scott offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 7, Section 48.030, Line 26 of said page, by inserting immediately after said line the following:

**“49.705. In any county of the third classification without a township form of government and with more than nine thousand six hundred fifty but fewer than nine thousand seven hundred fifty inhabitants, any person or entity, holding an outdoor concert, shall be required to receive approval from the county commission prior to holding such outdoor concert. Any person or entity that violates this section by holding an outdoor concert without prior approval from the county commission shall be assessed a civil fine of up to five thousand dollars. Such violation shall be prosecuted by the prosecuting attorney in the circuit court of the county where the violation occurred.”;** and

Further amend the title and enacting clause accordingly.

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

Senator Stouffer offered SA 4, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 111, Section 701.355, Line 8, by inserting immediately after all of said line the following:

**“Section 1. Municipalities and other political subdivisions may collect and share the identity of persons by the same means the Federal Bureau of Investigation or its successor agency uses in its Integrated Automated Fingerprint Identification System or its successor program.”;** and

Further amend the title and enacting clause accordingly.

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

Senator Barnitz offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 19, Section 67.659, Line 28 of said page, by inserting immediately after said line the following:

**“67.1000. 1. The governing body of any county or of any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly, any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants, or of any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand, may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123, RSMo, a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and**

the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. In any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, “transient guests”, as used in this section and section 67.1002, means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter.”; and

Further amend the title and enacting clause accordingly.

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

Senator Green offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 9, Section 49.310, Line 7 of said page, by inserting immediately after said line the following:

**“67.180. No political subdivision shall prohibit any emergency personnel as defined in section 565.081, RSMo, from the following activities:**

**(1) Becoming or continuing to be members of any political party, club, or organization;**

**(2) Attending political meetings;**

**(3) Expressing views in private on political matters outside working hours and off political subdivision premises;**

**(4) Voting with complete freedom in any election;**

**(5) Being a candidate for or serving in elective or appointive office in any political subdivision that does not have jurisdiction over such emergency personnel's place of residence.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Loudon offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 110, Section 546.902, Line 16 of said page, by inserting immediately after said line the following:

**“650.120. 1. [Subject to appropriation,] There is hereby created in the state treasury the “Cyber Crime Investigation Fund”. The treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Beginning with the 2010 fiscal year and in each subsequent fiscal year, the general assembly shall appropriate three million dollars to the cyber crime investigation fund. The department of public safety shall be the administrator of the fund. Money in the fund shall be used solely for the administration of the grant program established under this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the**

**credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

2. The department of public safety shall create a program to distribute grants to multi jurisdictional Internet cyber crime law enforcement task forces, multi jurisdictional enforcement groups, as defined in section 195.503, RSMo, that are investigating Internet sex crimes against children, and other law enforcement agencies. **The program shall be funded by the cyber crime investigation fund created under subsection 1 of this section.** Not more than three percent of the money [appropriated] in the fund may be used by the department to pay the administrative costs of the grant program. The grants shall be awarded and used to pay the salaries of detectives and computer forensic personnel whose focus is investigating Internet sex crimes against children, including but not limited to enticement of a child, possession or promotion of child pornography, provide funding for the training of law enforcement personnel **and prosecuting and circuit attorneys as well as their assistant prosecuting and circuit attorneys**, and purchase necessary equipment, supplies, and services. The funding for such training may be used to cover the travel expenses of those persons participating.

[2.] 3. A panel is hereby established in the department of public safety to award grants under this program and shall be comprised of the following members:

(1) The director of the department of public safety, or his or her designee;

(2) Two members shall be appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri Police Chiefs Association;

(3) Two members shall be appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri Sheriffs' Association;

(4) Two members of the state highway patrol shall be appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri State Troopers Association;

(5) One member of the house of representatives who shall be appointed by the speaker of the house of representatives; and

(6) One member of the senate who shall be appointed by the president pro tem.

The panel members who are appointed under subdivisions (2), (3), and (4) of this subsection shall serve a four-year term ending four years from the date of expiration of the term for which his or her predecessor was appointed. However, a person appointed to fill a vacancy prior to the expiration of such a term shall be appointed for the remainder of the term. Such members shall hold office for the term of his or her appointment and until a successor is appointed. The members of the panel shall receive no additional compensation but shall be eligible for reimbursement for mileage directly related to the performance of panel duties.

[3.] 4. Local matching amounts, which may include new or existing funds or in-kind resources including but not limited to equipment or personnel, are required for multi jurisdictional Internet cyber crime law enforcement task forces and other law enforcement agencies to receive grants awarded by the panel. Such amounts shall be determined by the state appropriations process or by the panel.

[4.] 5. When awarding grants, priority should be given to newly hired detectives and computer forensic personnel.

[5.] **6.** The panel shall establish minimum training standards for detectives and computer forensic personnel participating in the grant program established in subsection 1 of this section.

[6.] **7.** Multi jurisdictional Internet cyber crime law enforcement task forces and other law enforcement agencies participating in the grant program established in subsection 1 of this section shall share information and cooperate with the highway patrol and with existing Internet crimes against children task force programs.

[7.] **8.** The panel may make recommendations to the general assembly regarding the need for additional resources or appropriations.

[8.] **9.** The power of arrest of any peace officer who is duly authorized as a member of a multi jurisdictional Internet cyber crime law enforcement task force shall only be exercised during the time such peace officer is an active member of such task force and only within the scope of the investigation on which the task force is working. Notwithstanding other provisions of law to the contrary, such task force officer shall have the power of arrest, as limited in this subsection, anywhere in the state and shall provide prior notification to the chief of police of a municipality or the sheriff of the county in which the arrest is to take place. If exigent circumstances exist, such arrest may be made and notification shall be made to the chief of police or sheriff as appropriate and as soon as practical. The chief of police or sheriff may elect to work with the multi jurisdictional Internet cyber crime law enforcement task force at his or her option when such task force is operating within the jurisdiction of such chief of police or sheriff.

[9.] **10.** Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after June 5, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

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

**SA 7** was adopted by the following vote:

YEAS—Senators

Bartle	Callahan	Crowell	Dempsey	Gibbons	Goodman	Graham	Green
Justus	Kennedy	Koster	Loudon	McKenna	Purgason	Ridgeway	Shoemyer
Smith—17							

NAYS—Senators

Bray	Champion	Clemens	Coleman	Days	Engler	Griesheimer	Lager
Mayer	Nodler	Rupp	Shields	Stouffer	Vogel	Wilson—15	

Absent—Senators

Barnitz	Scott—2
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Absent with leave—Senators—None

Vacancies—None

Senator Bray offered **SA 8**:

**SENATE AMENDMENT NO. 8**

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 20, Section 67.3000, Line 10 of said page, by inserting after all of said line the following:

**“71.295. Notwithstanding any other provision of law to the contrary, a city, town, or village may satisfy all financial reporting requirements, including those under section 77.110, RSMo, section 79.160, RSMo, and section 80.210, RSMo, by posting the report on the official website of the municipality. The municipality shall report on all financial aspects that would have otherwise been published in a newspaper of record. The report shall maintain its place on the municipality's website for a period of not less than one year from the date of its publication to the website.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Graham offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 99, Section 190.335, Line 10 of said page, by inserting immediately after said line the following:

**“221.515. 1. Any person designated a jailer under the provisions of this chapter shall have the power to serve [an arrest warrant] civil process and arrest warrants on any person who surrenders himself or herself to the facility under an arrest warrant or is already an inmate in the custody of the facility in or at which such jailer is employed.**

**2. Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers in this state under the provisions of this chapter.**

**3. Such persons authorized to act by the sheriff as jailers under the rules and regulations of the sheriff shall have the same power as granted any other law enforcement officers in this state to arrest escaped prisoners and apprehend all persons who may be aiding and abetting such escape while in the custody of the sheriff in accordance with state law.”; and**

Further amend the title and enacting clause accordingly.

Senator Graham moved that the above amendment be adopted.

At the request of Senator Clemens, **HB 1711**, with **SCS, SS No. 2** for **SCS** and **SA 9** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2007** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2007**.

**CONFERENCE COMMITTEE REPORTS**

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2007** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Gary Nodler

/s/ Robert N. Mayer

/s/ Joan Bray

/s/ Timothy P. Green

/s/ Scott Rupp

**FOR THE HOUSE:**

/s/ Allen Icet

/s/ Ed Robb

/s/ Rick Stream

/s/ Rachel Storch

/s/ Sam Komo

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

## YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway
Rupp	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—31	

## NAYS—Senators

Bartle Purgason—2

Absent—Senator Scott—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2007**, entitled:



CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bray	Champion	Clemens	Coleman	Crowell	Days	Dempsey
Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus	Kennedy
Koster	Lager	Loudon	Mayer	McKenna	Nodler	Ridgeway	Rupp
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—30		

NAYS—Senators

Bartle	Callahan	Purgason—3
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Absent—Senator Scott—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HOUSE BILLS ON THIRD READING**

**HB 2081**, with **SCS**, introduced by Representative Dougherty, entitled:

An Act to repeal section 333.011, RSMo, and to enact in lieu thereof one new section relating to the state board of embalmers and funeral directors.

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

**SCS** for **HB 2081**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2081

An Act to repeal sections 194.119 and 333.011, RSMo, and to enact in lieu thereof two new sections relating to the final disposition of dead human bodies.

Was taken up.

Senator Callahan moved that **SCS** for **HB 2081** be adopted.

At the request of Senator Callahan, **HB 2081**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Clemens moved that **HB 1711**, with **SCS**, **SS No. 2** for **SCS** and **SA 9** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 9** was again taken up.

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

Senator Griesheimer offered **SA 10**:

#### SENATE AMENDMENT NO. 10

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1711, Page 99, Section 190.335, Line 10 of said page, by inserting after all of said line the following:

“190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed [fifty] **twenty-five** cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to [July 2, 1998] **August 28, 2008**, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after [July 2, 1998] **August 28, 2008**, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said

section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.

190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, [1998] **2008**, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to [fifty] **twenty-five** cents per month to be charged every wireless telephone number for the purpose of funding wireless

enhanced 911 service?

YES

NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, [1999] **2009**, or the first day of the month occurring at least thirty days after the approval of the ballot measure, **but in no case shall the fee be imposed for more than ten years following its effective date unless reauthorized by the voters of this state in a manner substantially similar to that provided in subsection 2 of this section.** If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.”; and

Further amend the title and enacting clause accordingly.

Senator Griesheimer moved that the above amendment be adopted.

At the request of Senator Clemens, **HB 1711**, with **SCS, SS No. 2** for **SCS** and **SA 10** (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2008** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2008**.

### CONFERENCE COMMITTEE REPORTS

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2008** moved that the following conference committee report be taken up, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Gary Nodler
- /s/ Robert N. Mayer
- /s/ Joan Bray
- /s/ Timothy P. Green
- /s/ Scott Rupp

FOR THE HOUSE:

- /s/ Allen Icet
- /s/ Ed Robb
- /s/ Rick Stream
- /s/ Jamilah Nasheed
- /s/ Ed Wildberger

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

YEAS—Senators

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

Wilson—33

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Lager assumed the Chair.

On motion of Senator Nodler, **CCS** for **SCS** for **HCS** for **HB 2008**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 HOUSE COMMITTEE SUBSTITUTE FOR  
 HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

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

Wilson—33

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Gibbons assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **SB 944**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Lager assumed the Chair.

### **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 **HCS** for **SCS** for **SB 724**, as amended. Representatives: Jones (117), Bruns, Wasson, Kuessner and McClanahan.

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 2023**. Representatives: Icet, Robb, Tilley, Dougherty and Storch.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2009** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2009**.

### **CONFERENCE COMMITTEE REPORTS**

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2009** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Gary Nodler
- /s/ Robert N. Mayer
- /s/ Joan Bray
- /s/ Timothy P. Green
- /s/ Scott Rupp

FOR THE HOUSE:

- /s/ Allen Icet
- /s/ Ed Robb
- /s/ Rick Stream
- /s/ Jamilah Nasheed
- /s/ Ed Wildberger

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

YEAS—Senators

Barnitz	Bartle	Bray	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—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nodler, **CCS for SCS for HCS for HB 2009**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

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

YEAS—Senators

Barnitz	Bartle	Bray	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—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### **BILLS DELIVERED TO THE GOVERNOR**

**SS** for **SCS** for **SB 944**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

### **RESOLUTIONS**

Senator Koster offered Senate Resolution No. 2631, regarding Colonel Robert Dulong, Whiteman Air Force Base, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator Scott introduced to the Senate, Bishop Mar Mathew Araral and Reverend Josy Joseph, Kerala, India; and Viveh and Shiju Malik, Cape Girardeau.

Senator Ridgeway introduced to the Senate, Dr. Duensing and Dr. Journee, Kansas City.

Senator Shields introduced to the Senate, Home Schoolers from Platte and Clay Counties.

Senator Crowell introduced to the Senate, seventh and eighth grade students from Salem Lutheran School, Farrar.

Senator Champion introduced to the Senate, twenty fourth grade students from Delaware Elementary School, Springfield.

On behalf of Senator Griesheimer and himself, Senator Smith introduced to the Senate, Sean Spicer and students from St. Clair High School.



Senator Barnitz introduced to the Senate, Jennifer Whitson and fourteen eighth grade students from Steelville R-3 Middle School; and Jim Cain, Steelville.

Senator Smith introduced to the Senate, members of Compton Drew Middle School Bike Club, St. Louis.

Senator Shields introduced to the Senate, his wife, Brenda and Marci Bennett-Hazelrigg, St. Joseph.

On behalf of Senator Engler, the President introduced to the Senate, his wife, Chris, Farmington.

Senator Gibbons introduced to the Senate, seventy-four fourth grade students from Westchester Elementary School, Kirkwood; and Kevin Kelley, Peyton Pilcher, Leslie Riggs and Emily Smotkin were made honorary pages.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Jeff Craver, M.D., St. Louis.

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

## SENATE CALENDAR

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SIXTY-FOURTH DAY—WEDNESDAY, MAY 7, 2008  
—————

### FORMAL CALENDAR

#### THIRD READING OF SENATE BILLS

SS for SCS for SB 898-Clemens  
(In Fiscal Oversight)

#### HOUSE BILLS ON THIRD READING

HCS for HBs 1595 & 1668 (Mayer)  
(In Fiscal Oversight)

HCS for HB 1550 (Dempsey)

HB 1923-Jones (117) and Pratt (Barnitz)

HCS for HB 1516, with SCS (Goodman)

HB 2191-Nasheed, et al, with SCS (Coleman)  
(In Fiscal Oversight)

HCS for HB 2279, with SCS (Engler)

HCS for HBs 1321 & 1695, with SCS  
(Gibbons) (In Fiscal Oversight)

HB 1832-Cooper (120), et al, with SCS  
(Griesheimer)

HCS for HB 2058, with SCS (Kennedy)  
(In Fiscal Oversight)

### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SBs 712 & 882-Gibbons and Rupp, with SCS

SB 713-Gibbons, with SCS

SB 716-Loudon, et al	SB 1007-Loudon, with SA 2 (pending)
SB 717-Kennedy and Shields	SBs 1021 & 870-Loudon, et al, with SCS, SS for SCS & SA 2 (pending)
SB 729-Griesheimer, with SCS	SB 1035-Scott, with SCS
SB 749-Ridgeway, with SCS	SB 1046-Mayer, with SA 1 & SSA 1 for SA 1 (pending)
SB 756-Engler and Rupp, with SCS (pending)	SB 1052-Rupp
SB 776-Justus and Koster, with SCS	SB 1054-Dempsey, with SCS
SB 809-Stouffer, with SCS, SS for SCS & SA 1 (pending)	SB 1057-Scott, with SCS
SB 811-Stouffer, with SCS, SA 1 & point of order (pending)	SB 1058-Mayer
SB 815-Goodman	SB 1067-Ridgeway, et al
SB 821-Shoemyer, with SCS (pending)	SB 1077-Goodman, with SS (pending)
SBs 840 & 857-Engler, with SCS & SS for SCS (pending)	SB 1093-Loudon, et al
SB 861-Shoemyer, with SCS	SB 1094-Loudon, with SCS
SB 874-Graham, with SCS	SB 1099-Graham, with SA 1 (pending)
SB 877-Mayer	SB 1101-Bray, et al
SB 881-Green	SB 1103-Gibbons
SB 904-Griesheimer, with SCS	SB 1138-McKenna, with SCS
SBs 909, 954, 934 & 1003-Engler, with SCS	SB 1158-Mayer, with SCS
SB 915-Ridgeway	SB 1164-Loudon
SB 917-Goodman, et al	SB 1180-Crowell
SB 929-Green and Callahan, with SCS	SB 1183-Bray, with SCS
SB 957-Goodman	SB 1194-Goodman
SBs 982, 834 & 819-Purgason, with SCS	SB 1197-Crowell
SB 990-Champion	SBs 1234 & 1270-Shields, with SCS & SS#2 for SCS (pending)
SBs 993 & 770-Crowell, with SCS, SS for SCS, SA 4 & SSA 1 for SA 4 (pending)	SB 1240-Dempsey
SB 996-Crowell, with SCS	SB 1244-Barnitz and Purgason
SB 997-Crowell	SB 1275-Vogel
SB 1000-Justus	SB 1278-Shields
	SJR 43-Loudon

#### HOUSE BILLS ON THIRD READING

HCS for HB 1341 (Nodler)	HB 1661-LeVota, et al (Ridgeway)
HB 1358-Flook, et al (Ridgeway)	HB 1711-Weter, et al, with SCS, SS#2 for SCS & SA 10 (pending) (Clemens)
HCS for HB 1393 (Ridgeway)	HCS for HB 1715, with SCS (Scott)
HCS#2 for HB 1463, with SCS	HCS for HB 1722, with SCS (Mayer)
HCS for HB 1474, with SCS (Scott)	HCS for HB 1763 (Engler)
HB 1532-Davis, with SCS (Rupp)	HCS for HB 1790, HB 1805 & HCS for HB 1546, with SCS (Shields)
HCS for HBs 1549, 1771, 1395 & 2366 (Rupp)	HCS for HBs 1876 & 1877, with SCS (Mayer)
HB 1617-Cunningham (86), et al (Dempsey)	HCS for HB 1904, with SCS (Goodman)
HB 1656-Nance and Cooper (155), with SCS (Stouffer)	

HB 1937-Pearce, et al, with SCS (Scott)  
HB 1973-Franz, with SCS (Engler)  
HB 1983-Pratt, with SCS (Goodman)  
HCS for HB 2041, with SCS (Scott)  
HCS for HB 2068 (Scott)  
HB 2081-Dougherty, with SCS (pending)  
(Callahan)

HCS for HB 2104, HB 1574, HB 1706,  
HCS for HB 1774, HB 2055 & HCS  
for HB 2056, with SCS (Crowell)  
HB 2226-Muschany (Rupp)  
HCS for HJR 55 (Crowell)

## CONSENT CALENDAR

### House Bills

#### Reported 4/10

HB 1628-Cooper (120) (Scott)  
HB 1670-Cooper (120) (Dempsey)  
HB 1828-Sutherland (Vogel)  
HCS for HB 1804, with SCS (Days)  
HB 2047-Curls, et al, with SCS (Callahan)  
HB 1410-Flook, et al (Ridgeway)  
HCS for HB 1888 (Clemens)  
HB 1368-Thomson (Lager)  
HCS for HB 1807, with SCS (Mayer)  
HB 1869-Wilson (130), et al (Goodman)

HCS for HB 2048, with SCS (Engler)  
HB 2213-Kraus, et al (Shields)  
HB 1422-St. Onge, et al, with SCS (Stouffer)  
HB 1354-Wilson (119), et al (Scott)  
HCS for HB 1575 (Vogel)  
HB 1952-Loehner, et al (Barnitz)  
HB 1887-Parson (Scott)  
HCS for HB 2360 (Lager)  
HB 1311-Hoskins, with SCS (Engler)  
HB 1426-Kraus (Green)

#### Reported 4/14

HB 1608-Ervin (Ridgeway)  
HB 2065-Wasson, with SCS (Scott)  
HB 1450-Roorda, et al, with SCS (McKenna)  
HB 2233-Page, et al (Shields)

HB 1419-Portwood (Loudon)  
HB 1791-Cooper (155), et al (Barnitz)  
HB 1689-Wilson (130), with SCS (Scott)  
HCS for HB 1690, with SCS (Scott)

#### Reported 4/15

HCS for HB 1380 (Goodman)  
HCS for HB 2036 (Stouffer)  
HB 1946-Franz, with SCS (Champion)  
HB 1849-Pratt and Curls (Justus)  
HB 1640-Schoeller, et al, with SCS (Goodman)  
HB 1570-Franz, with SCS (Champion)  
HB 1469-Pratt (Goodman)

HB 1710-Flook (Ridgeway)  
HCS for HB 1783 (Engler)  
HB 1784-Meadows, et al (McKenna)  
HB 1313-Wright, et al (Mayer)  
HCS for HB 1893 (Dempsey)  
HB 1881-Schlottach (Kennedy)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 863-Rupp, with HCS

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

SCS for SB 724-Scott, et al, with HCS,  
as amended  
SB 841-Stouffer, with HCS, as amended  
SS for SCS for SB 931-Purgason,  
with HCS, as amended  
(Senate adopted CCR and passed CCS)

SB 958-Goodman, with HCS  
HCS for HB 2010, with SCS (Nodler)  
HCS for HB 2011, with SCS (Nodler)  
HCS for HB 2012, with SCS (Nodler)  
HCS for HB 2013, with SCS (Nodler)  
HCS for HB 2023, with SCS (Nodler)

Requests to Recede or Grant Conference

SB 1068-Mayer, with HA 1 & HA 3  
(Senate requests House  
recede or grant conference)

SB 1074-Dempsey, with HCS, as amended  
(Senate requests House  
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 27-Champion  
SCR 32-Purgason  
SCR 33-Bray

HCR 7-Pearce, et al (Rupp)  
HCR 23-Dixon, et al, with SCA 1 (Loudon)

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