

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SIXTH DAY—MONDAY, MAY 12, 2008

The Senate met pursuant to adjournment.

President Pro Tem Gibbons in the Chair.

HOUSE BILLS ON SECOND READING

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

HCS for HJR 48—Financial and Governmental Organizations and Elections.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 1288**, entitled:

An Act to repeal sections 105.473 and 130.032, RSMo, and to enact in lieu thereof three new sections relating to ethics, with an emergency clause for a certain section.

With House Amendment No. 1, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 3 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 1288, Section 130.032, Pages 5 through 7, Lines 1 through 73 by removing all of said Section from the bill; and

Further amend said bill, Section 130.032, Page 7, Line 73 by inserting after all of said Section the following:

“Section 1. Any committee which is unable to return a nonallowable contribution to a contributor because the contributor:

(1) Cannot be located following a reasonable attempt to locate the contributor;

(2) Returns the nonallowable contribution or otherwise refuses acceptance of the nonallowable contribution; or

(3) Is a committee which has terminated;

may transfer the nonallowable contribution to the director of revenue for deposit to the general revenue of the state, or may make an unconditional gift which is fully vested to any charitable, fraternal, or civic organization or association formed to provide for some good in the order of benevolence as set forth in subdivision (7) of subsection 2 of section 130.034.”; and

Further amend said bill, Section B by removing all of said Section from the bill; and

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

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 1288, Page 10, Line 9 by inserting after all of said Line the following:

“and Further amend said bill, Section 130.032, Page 7, Line 73 by inserting after all of said Section the following:

Section 1. Notwithstanding the provisions of section 105.955, RSMo, beginning August 28, 2008, there shall be no term limits on the executive director of the Missouri Ethics Commission.”; and

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

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 1288, Page 10, Line 9, by inserting after said line the following:

“Further amend said bill by inserting in the proper place the following:

“Further amend said bill, Section 105.459, Page 2, Line 38, by deleting the words, “**ethics commission**” and inserting in lieu thereof the words, “**commission on political finance**”; and

Further amend said bill, Page 7, Section 130.032, Line 73, by inserting after all of said line the following:

“Section 1. Beginning August 28, 2008 the Missouri ethics commission shall be known as Missouri commission on political finance. The revisor of statutes shall change all occurrences in the statutes to reflect the name change.”; and”; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 1288, Section 105.473, Page 5, by inserting after all of said Section and Line the following:

“130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) “Cash”, currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) “Check”, a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) “Closing date”, the date through which a statement or report is required to be complete;

(7) “Committee”, a person or any combination of persons, who accepts contributions or makes expenditures for the [primary or incidental] purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

[c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;]

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without

charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) “Contribution” does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) “County”, any one of the several counties of this state or the city of St. Louis;

(14) “Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) “Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(16) “Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value.

“Expenditure” includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than

money;

(20) “Labor organization”, any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) “Loan”, a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) “Person”, an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) “Political party committee”, a state, district, county, city, or area committee of a political party, as defined in section 115.603, RSMo, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.”; and

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 1288, Section 130.032, Page 7, Line 73 by inserting after all of said Section and Line the following:

“Section 1. The Missouri Ethics Commission shall, in those instances that reasonably require the assistance of outside legal services, employ the services of an independent attorney who is not a

member of the Office of the Attorney General. This requirement shall apply to all cases involving the implementation and litigation of laws or rules under the jurisdiction of the commission.”

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 1139**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 768**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 724**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 724**.

Bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS** for **HBs 2062** and **1518**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Gibbons referred **SS No. 2** for **SCS** for **SBs 1021** and **870** and **HCS** for **HBs 2062** and **1518**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

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

RECESS

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

Reverend Carl Gauck offered the following prayer:

“It is not how much you do, but how much Love you put into the doing that matters.” (Mother Teresa)

Gracious Father, we thank You for bringing us safely here to the work You have called us to do. We realize that as we begin our final week of this session with much to do it feels that time is being compressed with less and less of it available to do all we must, so we pray bless us with patience and guidance that our efforts to work together come together. And may all we do come from our love of doing what we do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for Thursday, May 8, 2008 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.

RESOLUTIONS

Senator Loudon offered Senate Resolution No. 2683, regarding Benjamin Speed, Saint Louis, which was adopted.

Senator Bray offered Senate Resolution No. 2684, regarding Varun Chakravarthy, Clayton, which was adopted.

Senator Kennedy offered Senate Resolution No. 2685, regarding Erik J. Carretero, which was adopted.

Senator Nodler offered Senate Resolution No. 2686, regarding the Center for Community Studies at Drury University, Springfield, which was adopted.

Senator Dempsey offered Senate Resolution No. 2687, regarding Andrea Cosgrove, which was adopted.

Senator Dempsey offered Senate Resolution No. 2688, regarding Dale Poslosky and Mitch Stern, which was adopted.

Senator Graham offered Senate Resolution No. 2689, regarding Gary Robb, Bloomington, Indiana, which was adopted.

Senator Engler offered Senate Resolution No. 2690, regarding Staff Sergeant Trevor Spink, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 2691, regarding Staff Sergeant Bradley J. Skelton, Gordonville, which was adopted.

Senator Engler offered Senate Resolution No. 2692, regarding Staff Sergeant Michael Deason, Desloge, which was adopted.

Senator Engler offered Senate Resolution No. 2693, regarding Specialist Ernest W. Dallas, Jr., Desloge,

which was adopted.

Senator Engler offered Senate Resolution No. 2694, regarding Specialist Matthew F. Straughter, Saint Charles, which was adopted.

Senator Engler offered Senate Resolution No. 2695, regarding Jessica Lee Weiss, Belleview, which was adopted.

Senator Engler offered Senate Resolution No. 2696, regarding Vanna Faye Barton, Belleview, which was adopted.

Senator McKenna offered Senate Resolution No. 2697, regarding Ryan D. Cooper, Hillsboro, which was adopted.

Senator Rupp offered Senate Resolution No. 2698, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Salvatore Amato, O'Fallon, which was adopted.

Senator Rupp offered Senate Resolution No. 2699, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joe Carroll, Cottleville, which was adopted.

Senator Clemens offered Senate Resolution No. 2700, regarding Jena Thompson, Columbia, which was adopted.

Senator Crowell offered Senate Resolution No. 2701, regarding Harlan G. Sadler, which was adopted.

Senator Scott offered Senate Resolution No. 2702, regarding the Skyline High School FFA program, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
May 9, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office submitted to you on April 28, 2008, for your advice and consent:

Timothy W. Bonno, 202 Hollytree Court, Ballwin, Saint Louis County, Missouri 63021, as a member of the Seismic Safety Commission, for a term ending July 1, 2008, and until his successor is duly appointed and qualified; vice, Michael Marx, resigned.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
May 9, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office submitted to you on February 19, 2008, for your advice and consent:

Donna M. Bushur, 7444 Lydia Avenue, Kansas City, Jackson County, Missouri 64131, as a member of the Child Abuse and Neglect

Review Board, for a term ending April 7, 2008, and until her successor is duly appointed and qualified; vice, Donna M. Bushur, withdrawn.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

May 9, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office submitted to you on April 24, 2008, for your advice and consent:

Clyde L. Williams, Democrat, 522 E. Eastwood, Marshall, Saline County, Missouri 65340, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2012, and until his successor is duly appointed and qualified; vice, Susan Pentlin, term expired.

Respectfully submitted,

MATT BLUNT

President Pro Tem Gibbons requested unanimous consent of the Senate to vote on the above withdrawals in one motion. There being no objection, the request was granted.

President Pro Tem Gibbons moved that the above appointments be returned to the Governor per his request, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1804**, with **SCS**, entitled:

An Act to repeal section 82.020, RSMo, and to enact in lieu thereof one new section relating to home-rule cities, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Days.

SCS for **HCS** for **HB 1804**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1804

An Act to repeal sections 82.020 and 313.820, RSMo, and to enact in lieu thereof three new sections relating to cities, with an emergency clause for a certain section.

Was taken up.

Senator Days moved that **SCS** for **HCS** for **HB 1804** be adopted.

Senator Griesheimer requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

Senator Griesheimer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 1, Section 77.105, Line 2, by inserting after “ordinance” the following: “, **motion**,”.

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

Senator Days moved that **SCS** for **HCS** for **HB 1804**, as amended, be adopted, which motion prevailed.

On motion of Senator Days, **SCS** for **HCS** for **HB 1804**, as amended, 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

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

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

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

HB 2047, with **SCS**, introduced by Representative Curls, et al, entitled:

An Act to repeal section 88.917, RSMo, and to enact in lieu thereof one new section relating to street grading in cities.

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

SCS for **HB 2047**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2047

An Act to repeal sections 88.917 and 231.444, RSMo, and to enact in lieu thereof two new sections relating to maintenance of roadways.

Was taken up.

Senator Callahan moved that **SCS** for **HB 2047** be adopted, which motion prevailed.

On motion of Senator Callahan, **SCS** for **HB 2047** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senator Ridgeway—1

Absent—Senator Champion—1

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 1807**, with **SCS**, entitled:

An Act to repeal sections 162.675, 162.730, 162.740, 162.755, 162.780, 162.785, 162.810, and 168.520, RSMo, and to enact in lieu thereof eight new sections relating to Missouri schools for the severely disabled.

Was called from the Consent Calendar and taken up by Senator Mayer.

SCS for **HCS** for **HB 1807**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1807

An Act to repeal sections 162.675, 162.730, 162.740, 162.755, 162.780, 162.785, 162.810, and 168.520, RSMo, and to enact in lieu thereof eight new sections relating to Missouri schools for the severely disabled, with penalty provisions.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 1807** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HB 1807** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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.

HCS for **HB 2048**, with **SCS**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to college textbooks.

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

SCS for **HCS** for **HB 2048**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2048

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to college textbooks.

Was taken up.

Senator Engler moved that **SCS** for **HCS** for **HB 2048** be adopted.

Senator Engler requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2048, Page 2, Section 173.955, Line 35, by striking the word “on” and inserting in lieu thereof the following: “**of**”.

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

Senator Engler moved that **SCS** for **HCS** for **HB 2048**, as amended, be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **HCS** for **HB 2048**, as amended, 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	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—32

NAYS—Senator Bartle—1

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 1311, with **SCS**, introduced by Representative Hoskins, entitled:

An Act to repeal section 115.453, RSMo, and to enact in lieu thereof one new section relating to write-in candidates.

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

SCS for **HB 1311**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1311

An Act to repeal section 115.453, RSMo, and to enact in lieu thereof one new section relating to write-in candidates.

Was taken up.

Senator Engler moved that **SCS** for **HB 1311** be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **HB 1311** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus

Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Clemens—1

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 1422, with **SCS**, introduced by Representative St. Onge, et al, entitled:

An Act to repeal sections 390.071 and 622.095, RSMo, and to enact in lieu thereof one new section relating to unified carrier registration.

Was called from the Consent Calendar and taken up by Senator Stouffer.

SCS for **HB 1422**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1422

An Act to repeal sections 390.071 and 622.095, RSMo, and to enact in lieu thereof one new section relating to implementing the unified carrier registration plan and agreement to conform with the Unified Carrier Registration Act of 2005.

Was taken up.

Senator Stouffer moved that **SCS** for **HB 1422** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **HB 1422** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 2065, with **SCS**, introduced by Representative Wasson, entitled:

An Act to repeal section 337.029, RSMo, and to enact in lieu thereof one new section relating to the state committee of psychologists.

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

SCS for **HB 2065**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2065

An Act to repeal sections 337.029 and 337.068, RSMo, and to enact in lieu thereof two new sections relating to the state committee of psychologists.

Was taken up.

Senator Scott moved that **SCS** for **HB 2065** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HB 2065** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 1689, with **SCS**, introduced by Representative Wilson (130), entitled:

An Act to repeal sections 286.200, 286.205, and 286.210, RSMo, and to enact in lieu thereof three new

sections relating to the governor's council on disability.

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

SCS for **HB 1689**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1689

An Act to repeal sections 286.200, 286.205, and 286.210, RSMo, and to enact in lieu thereof four new sections relating to the office of administration.

Was taken up.

Senator Scott moved that **SCS** for **HB 1689** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HB 1689** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senator Barnitz—1

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 1690**, with **SCS**, entitled:

An Act to repeal section 379.118, RSMo, and to enact in lieu thereof three new sections relating to the transmission of insurance-related information in specific formats.

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

SCS for **HCS** for **HB 1690**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1690

An Act to repeal section 379.118, RSMo, and to enact in lieu thereof three new sections relating to the transmission of insurance-related information in specific formats.

Was taken up.

Senator Scott moved that **SCS** for **HCS** for **HB 1690** be adopted.

At the request of Senator Scott, the above motion was withdrawn, placing the bill back on the Consent Calendar.

HB 1946, with **SCS**, introduced by Representative Franz, entitled:

An Act to repeal sections 453.072 and 453.073, RSMo, and to enact in lieu thereof two new sections relating to adoption subsidies.

Was called from the Consent Calendar and taken up by Senator Champion.

SCS for **HB 1946**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1946

An Act to repeal sections 453.072 and 453.073, RSMo, and to enact in lieu thereof three new sections relating to adoption subsidies.

Was taken up.

Senator Champion moved that **SCS** for **HB 1946** be adopted, which motion prevailed.

On motion of Senator Champion, **SCS** for **HB 1946** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 1570, with **SCS**, introduced by Representative Franz, entitled:

An Act to repeal section 488.2300, RSMo, and to enact in lieu thereof one new section relating to

allowing the family services and justice fund to be used to fund guardian ad litem and informal adjustment services.

Was called from the Consent Calendar and taken up by Senator Champion.

SCS for HB 1570, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1570

An Act to repeal section 488.2300, RSMo, and to enact in lieu thereof two new sections relating to guardians ad litem.

Was taken up.

Senator Champion moved that **SCS for HB 1570** be adopted, which motion prevailed.

On motion of Senator Champion, **SCS for HB 1570** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

President Kinder assumed the Chair.

HB 1450, with **SCS**, introduced by Representatives Roorda and McGhee, entitled:

An Act to repeal section 21.800, RSMo, and to enact in lieu thereof one new section relating to the joint committee on terrorism, bioterrorism, and homeland security.

Was called from the Consent Calendar and taken up by Senator McKenna.

SCS for HB 1450, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1450

An Act to repeal sections 21.800 and 610.021, RSMo, and to enact in lieu thereof two new sections

relating to terrorism.

Was taken up.

Senator McKenna moved that **SCS** for **HB 1450** be adopted, which motion prevailed.

On motion of Senator McKenna, **SCS** for **HB 1450** 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	Justus
Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—32

NAYS—Senator Griesheimer—1

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Griesheimer assumed the Chair.

HB 1640, with **SCS**, introduced by Representatives Schoeller and Cooper (155), entitled:

An Act to repeal section 193.125, RSMo, and to enact in lieu thereof one new section relating to birth certificates.

Was called from the Consent Calendar and taken up by Senator Goodman.

SCS for **HB 1640**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1640

An Act to repeal section 193.125, RSMo, and to enact in lieu thereof one new section relating to birth certificates.

Was taken up.

Senator Goodman moved that **SCS** for **HB 1640** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HB 1640** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Scott moved that **HCS** for **HB 1690**, with **SCS**, be called from the Consent Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 1690** was taken up.

Senator Scott moved that **SCS** for **HCS** for **HB 1690** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HCS** for **HB 1690** 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	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nodler—1

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 1763**, entitled:

An Act to repeal sections 116.080 and 116.090, RSMo, and to enact in lieu thereof two new sections relating to petition circulators, with penalty provisions.

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

Senator Engler offered **SS** for **HCS** for **HB 1763**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1763

An Act to repeal sections 116.080 and 116.090, RSMo, and to enact in lieu thereof two new sections relating to petition circulators, with penalty provisions.

Senator Engler moved that **SS** for **HCS** for **HB 1763** be adopted.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Lines 11-12 of said page, by striking the following: “be paid on a per signature basis,”; and further amend line 12 of said page, by striking the comma “,” as it appears the second time on said line; and

Further amend said bill and section, page 2, line 1 of said page, by striking the following: “been paid on a per signature basis,”; and further amend line 2 of said page, by striking the comma “,”; and

Further amend said bill and section, page 3, lines 4-5 of said page, by striking the following: “BE PAID ON A PER SIGNATURE BASIS FOR THE COLLECTION OF ANY SIGNATURE,”; and further amend line 6 of said page, by striking the comma “,”; and further amend lines 17-18 of said page, by striking the following: “receives payment for collecting signatures on a per signature basis,”.

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

Senator Smith offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Line 12 of said page, by striking “basis,” and inserting in lieu thereof the following: “**basis or**”; and further amend lines 12-13 of said page, by striking the following: “, or circulate more than one petition concurrently”; and

Further amend said bill and section, page 2, line 1 of said page, by striking the comma “,” and inserting in lieu thereof the following: “**or**”; and further amend lines 2-3 of said page, by striking the following: “, or circulate more than one petition concurrently”; and

Further amend said bill and section, page 3, line 5 of said page, by striking the comma “,” and inserting in lieu thereof the following: “**OR**”; and further amend lines 6-7 of said page, by striking the following: “, **OR CIRCULATE MORE THAN ONE PETITION CONCURRENTLY**”; and further amend line 18 of said page, by striking the comma “,” and inserting in lieu thereof the following: “or”; and further amend lines 19-20 of said page, by striking the following: “, or circulates more than one petition concurrently”.

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

Senator Smith offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275, **or registers under subsection 4 of this section.** [In no case shall] Registration for an election **shall not** extend beyond 10:00 p.m. on the fourth Wednesday prior to the election **with the exception of same-day registration authorized under subsection 4 of this section.** Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration.

3. Except as provided **under subsection 4 of this section**, in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote **under subsection 1 of this section.**

4. A person who is qualified to vote on the day of an election shall be entitled to register on the day of the election at the polling place in which the person would otherwise be authorized to vote. The secretary of state shall develop by rule, a separate voter registration application and affidavit to be completed at the polling place on the day of the election documenting the identification required under section 115.427, an attestation to the validity of such documentation and that the applicant may be in violation of section 115.175 and section 115.631 for providing false documentation or falsely attesting to the affidavit.

115.145. Each election authority shall have the following duties with respect to registration:

(1) To conduct registration **at each polling place on election day and** at its office or offices throughout the entire year, including any four-week period prior to an election for the purpose of registration of persons for subsequent elections, on all usual business days and during its regular office hours in the manner required by this chapter;

(2) To instruct and direct each deputy registration official in the performance of his or her duties including those agencies mandated and optional, including as optional any institution of higher education located in the state, under the National Voter Registration Act of 1993 and to supply each deputy with the proper registration forms and other necessary supplies;

(3) To designate the times, dates and places or areas for additional voter registration by any deputy appointed pursuant to subsection 2 of section 115.143, and to publicize the times, dates and places or areas

of such registration in any manner reasonably calculated to inform the public; provided, that the place or area for voter registration by deputies appointed under subsection 3 of section 115.143 shall be located in the school for which the deputy has been appointed;

(4) Retain all voter registration records and registration list maintenance records for a minimum of two years. The election authority shall compile data from the records as may be necessary for compliance with the National Voter Registration Act of 1993;

(5) Number or use another system of identifying the original agency of the voter registration application.

115.149. 1. Within its jurisdiction, each election authority may register any person who is qualified to register in the jurisdiction. Each election authority may issue information cards to registered voters.

2. Upon agreement with another election authority, any election authority may register any person qualified to register in its jurisdiction in the jurisdiction of the other election authority. **This subsection shall not apply to registrations authorized under subsection 4 of section 115.135.**

115.151. 1. Each qualified applicant who appears before the election authority shall be deemed registered as of the time the applicant's completed, signed and sworn registration application is witnessed by the election authority or deputy registration official.

2. Each applicant who registers by mail shall be deemed to be registered as of the date the application is postmarked, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service.

3. Each applicant who registers at a voter registration agency or the division of motor vehicle and drivers licensing of the department of revenue shall be deemed to be registered as of the date the application is signed by the applicant, if such application is accepted and not rejected by the election authority and the verification notice required pursuant to section 115.155 is not returned as undeliverable by the postal service. Voter registration agencies and the division of motor vehicle and drivers licensing of the department of revenue shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant.

4. Each qualified applicant who registers on the same day of the election at a polling place shall be deemed registered as of the time the applicant's completed, signed, and sworn registration application under subsection 4 of section 115.135 is witnessed by an election judge and a deputy registration official.”; and

Further amend said bill, page 4, section 116.090, line 16, by inserting immediately after said line the following:

“[115.425. Except as provided in subsection 2 of section 115.277, the election judges shall allow no person to vote whose name does not appear in the precinct register without the express sanction of the election authority.]”; and

Further amend the title and enacting clause accordingly.

Senator Smith moved that the above amendment be adopted.

Senator Engler raised the point of order that **SA 3** is out of order as it goes beyond the title and scope of the bill.

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

Senator Barnitz offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 2, Section 116.080, Line 20, by inserting immediately after said line the following:

“(8) Certifying compliance with the training requirements specified by section 116.035”; and

Further renumber the remaining subdivision accordingly; and

Further amend said bill, page 4, section 116.090, Line 16 by adding immediately after said line the following:

“Section 1. 1. The secretary of state shall establish a training course for the purpose of instructing individuals qualifying as registered petition circulators pursuant to subsection 2 of section 116.080. The training course shall inform petition circulators of the requirements of Missouri law in collecting valid signatures and prohibition of signing petitions illegally, including but not limited to sections 116.050, 116.060, 116.070, 116.090 and 116.180 RSMo, and other instructions necessary for the proper circulation of petitions and prevention of fraud. The training course shall be offered on-line via the Internet and by mailed paper copy upon request.

2. Prior to circulating a petition, any paid or volunteer circulator shall complete the training course established by subsection 1. The course may be completed on-line via the Internet, or upon request by the individual attempting to qualify as a circulator the course material shall be mailed to the individual by the secretary of state.

3. Prior to qualifying as a circulator pursuant to section 116.080, the individual must successfully complete a test prepared by the secretary of state on the content of the training course, scoring at least seventy percent. The test may be completed on-line via the Internet, or for those individuals requesting course material by mail the test shall be administered in the offices of the secretary of the state or at other locations designated by the secretary of state.”; and

Further amend the title and enacting clause accordingly.

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

SA 4 failed of adoption by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Coleman	Days	Engler	Graham	Green
Justus	Kennedy	Koster	McKenna	Shoemyer	Wilson—14		

NAYS—Senators

Bartle	Champion	Clemens	Crowell	Dempsey	Gibbons	Goodman	Griesheimer
Lager	Loudon	Mayer	Purgason	Ridgeway	Rupp	Scott	Shields
Stouffer	Vogel—18						

Absent—Senator Smith—1

Absent with leave—Senator Nodler—1

Vacancies—None

Senator Bray offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Line 13, by inserting immediately after “concurrently.” the following: “**Prior to obtaining a signature from a voter, each petition circulator shall read the official ballot title affixed to the petition to that individual.**”; and further amend page 2, line 1, by inserting immediately after the word “who” the following: “**does not read the official ballot title to the voter prior to obtaining the voter's signature,**”; and

Further amend said bill and section, page 3, line 19, by inserting immediately after the word “Internet,” the following: “**does not read the official ballot title to the voter prior to obtaining the voter's signature,**”.

Senator Bray moved that the above amendment be adopted.

Senator Rupp assumed the Chair.

Senator Smith offered **SA 1 to SA 5**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5**

Amend Senate Amendment No. 5 to Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Line 4, by inserting after the word “shall”, the following: “**offer to**”; and further amend line 7 by inserting after the word “not”, the following: “**offer to**”; and further amend line 11 by inserting after the word “not” the following: “**offer to**”.

Senator Smith moved that the above amendment be adopted.

At the request of Senator Smith, **SA 1 to SA 5** was withdrawn.

Senator Smith offered **SA 2 to SA 5**, which was read:

**SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 5**

Amend Senate Amendment No. 5 to Senate Substitute for House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Line 4, by inserting after the word “shall”, the following: “**offer to read or offer to allow the voter to**”; and further amend line 7 by inserting after the word “not”, the following: “**offer to read or offer to allow the voter to**”; and further amend line 11 by inserting after the word “not” the following: “**offer to read or offer to allow the voter to**”.

Senator Smith moved that the above amendment be adopted.

At the request of Senator Engler, **HCS for HB 1763**, with **SS, SA 5 and SA 2 to SA 5** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2279**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon and the conferees be allowed to exceed the difference with regard to gas penalties and tree trimming provisions that have been truly agreed and will be removed from the bill.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SBs 1034** and **802**, entitled:

An Act to repeal section 407.300, RSMo, and to enact in lieu thereof five new sections relating to scrap metal, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Engler moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 2279**, as amended, 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 **SS** for **HCS** for **HB 2279**, as amended: Senators Engler, Lager, Griesheimer, Bray and Callahan.

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HCS** for **HB 1883**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR 48**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 2321**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

submitted the following report:

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS** for **HJR 41**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp assumed the Chair.

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

SENATE CALENDAR

SIXTY-SEVENTH DAY—TUESDAY, MAY 13, 2008

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 898-Clemens
(In Fiscal Oversight)
SB 1099-Graham

SS#2 for SCS for SBs 1021 & 870-Loudon
(In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

- | | |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1. HCS for HBs 1595 & 1668 (Mayer)
(In Fiscal Oversight) | 9. HB 1716-Guest, et al (Purgason) |
| 2. HB 2191-Nasheed, et al, with SCS
(Coleman) (In Fiscal Oversight) | 10. HCS for HBs 1831 & 1472 (Mayer)
(In Fiscal Oversight) |
| 3. HCS for HBs 1321 & 1695, with SCS
(Gibbons) (In Fiscal Oversight) | 11. HCS#2 for HB 1423, with SCS (Goodman) |
| 4. HB 1832-Cooper (120), et al, with SCS
(Griesheimer) | 12. HCS for HB 1626 (Ridgeway) |
| 5. HCS for HB 2058, with SCS (Kennedy)
(In Fiscal Oversight) | 13. HCS for HBs 1788 & 1882 (Crowell)
(In Fiscal Oversight) |
| 6. HCS for HB 1700, with SCS (Scott)
(In Fiscal Oversight) | 14. HCS for HB 1314, with SCS (Callahan) |
| 7. HCS for HJR 43, with SCS (Gibbons) | 15. HCS for HBs 2062 & 1518, with SCS
(Stouffer) (In Fiscal Oversight) |
| 8. HB 1995-Schieffer, et al (Rupp) | 16. HCS for HB 1883, with SCS |
| | 17. HCS for HJR 48 (Scott) |
| | 18. HCS for HB 2321, with SCS |
| | 19. HCS for HJR 41, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 712 & 882-Gibbons and Rupp, with SCS	SB 997-Crowell
SB 713-Gibbons, with SCS	SB 1000-Justus
SB 716-Loudon, et al	SB 1007-Loudon, with SA 2 (pending)
SB 717-Kennedy and Shields	SB 1035-Scott, with SCS
SB 729-Griesheimer, with SCS	SB 1046-Mayer, with SA 1 & SSA 1 for SA 1 (pending)
SB 749-Ridgeway, with SCS	SB 1052-Rupp
SB 756-Engler and Rupp, with SCS (pending)	SB 1054-Dempsey, with SCS
SB 776-Justus and Koster, with SCS	SB 1057-Scott, with SCS
SB 809-Stouffer, with SCS, SS for SCS & SA 1 (pending)	SB 1058-Mayer
SB 811-Stouffer, with SCS, SA 1 & point of order (pending)	SB 1067-Ridgeway, et al
SB 815-Goodman	SB 1077-Goodman, with SS (pending)
SB 821-Shoemyer, with SCS (pending)	SB 1093-Loudon, et al
SBs 840 & 857-Engler, with SCS & SS for SCS (pending)	SB 1094-Loudon, with SCS
SB 861-Shoemyer, with SCS	SB 1101-Bray, et al
SB 874-Graham, with SCS	SB 1103-Gibbons
SB 877-Mayer	SB 1138-McKenna, with SCS
SB 881-Green	SB 1158-Mayer, with SCS
SB 904-Griesheimer, with SCS	SB 1164-Loudon
SBs 909, 954, 934 & 1003-Engler, with SCS	SB 1180-Crowell
SB 915-Ridgeway	SB 1183-Bray, with SCS
SB 917-Goodman, et al	SB 1194-Goodman
SB 929-Green and Callahan, with SCS	SB 1197-Crowell
SB 957-Goodman	SBs 1234 & 1270-Shields, with SCS & SS#2 for SCS (pending)
SBs 982, 834 & 819-Purgason, with SCS	SB 1240-Dempsey
SB 990-Champion	SB 1244-Barnitz and Purgason
SBs 993 & 770-Crowell, with SCS, SS for SCS, SA 4 & SSA 1 for SA 4 (pending)	SB 1275-Vogel
SB 996-Crowell, with SCS	SB 1278-Shields
	SJR 43-Loudon

HOUSE BILLS ON THIRD READING

HCS for HB 1341 (Nodler)	HCS for HB 1516, with SCS (Goodman)
HB 1358-Flook, et al (Ridgeway)	HB 1532-Davis, with SCS (Rupp)
HCS for HB 1393 (Ridgeway)	HCS for HBs 1549, 1771, 1395 & 2366 (Rupp)
HCS#2 for HB 1463, with SCS	HCS for HB 1550 (Dempsey)
HCS for HB 1474, with SCS (Scott)	HB 1617-Cunningham (86), et al (Dempsey)

HB 1656-Nance and Cooper (155), with SCS (Stouffer)	HB 1937-Pearce, et al, with SCS (Scott)
HB 1661-LeVota, et al (Ridgeway)	HB 1973-Franz, with SCS (Engler)
HB 1711-Weter, et al, with SCS, SS#2 for SCS & SA 10 (pending) (Clemens)	HB 1983-Pratt, with SCS (Goodman)
HCS for HB 1722, with SCS (Mayer)	HCS for HB 2041, with SCS (Scott)
HCS for HB 1763, with SS, SA 5 & SA 2 to SA 5 (pending) (Engler)	HCS for HB 2068 (Scott)
HCS for HB 1790, HB 1805 & HCS for HB 1546, with SCS (Shields)	HB 2081-Dougherty, with SCS (pending) (Callahan)
HCS for HBs 1876 & 1877, with SCS (Mayer)	HCS for HB 2104, HB 1574, HB 1706, HCS for HB 1774, HB 2055 & HCS for HB 2056, with SCS (Crowell)
HCS for HB 1904, with SCS (Goodman)	HB 2226-Muschany (Rupp)
HB 1923-Jones (117) and Pratt (Barnitz)	HCS for HJR 55 (Crowell)

CONSENT CALENDAR

House Bills

Reported 4/10

HB 1628-Cooper (120) (Scott)	HB 2213-Kraus, et al (Shields)
HB 1670-Cooper (120) (Dempsey)	HB 1354-Wilson (119), et al (Scott)
HB 1828-Sutherland (Vogel)	HCS for HB 1575 (Vogel)
HB 1410-Flook, et al (Ridgeway)	HB 1952-Loehner, et al (Barnitz)
HCS for HB 1888 (Clemens)	HB 1887-Parson (Scott)
HB 1368-Thomson (Lager)	HCS for HB 2360 (Lager)
HB 1869-Wilson (130), et al (Goodman)	HB 1426-Kraus (Green)

Reported 4/14

HB 1608-Ervin (Ridgeway)	HB 1419-Portwood (Loudon)
HB 2233-Page, et al (Shields)	HB 1791-Cooper (155), et al (Barnitz)

Reported 4/15

HCS for HB 1380 (Goodman)	HCS for HB 1783 (Engler)
HCS for HB 2036 (Stouffer)	HB 1784-Meadows, et al (McKenna)
HB 1849-Pratt and Curls (Justus)	HB 1313-Wright, et al (Mayer)
HB 1469-Pratt (Goodman)	HCS for HB 1893 (Dempsey)
HB 1710-Flook (Ridgeway)	HB 1881-Schlottach (Kennedy)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 1034 & 802-Mayer, with HCS

SB 1288-Shields, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

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 1068-Mayer, with HA 1 & HA 3

SB 1074-Dempsey, with HCS, as amended
HB 2224-Jones (117), with SS for SCS
(Griesheimer)
HCS for HB 2279, with SCS, as amended
(Engler)

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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