

# Journal of the Senate

FIRST REGULAR SESSION

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**FORTIETH DAY—TUESDAY, MARCH 24, 2009**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“To be intelligent is to be open-minded, active-remembered, and persistently experimental.” (Leo Stein, “Journey into the Self”)

Almighty God, the challenges continue to come and we need to use our intelligence and wisdom to do things in new and creative ways. So we call upon You for Your help to open our minds and see the world about us in new ways and try things differently. 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.

Senator Engler announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Nodler assumed the Chair.

## RESOLUTIONS

Senator Engler offered Senate Resolution No. 576, regarding Roosevelt Elementary School, Farmington R-VII School District, which was adopted.

Senator Engler offered Senate Resolution No. 577, regarding Washington-Franklin Elementary School, Farmington R-VII School District, which was adopted.

Senator Purgason offered Senate Resolution No. 578, regarding Wayne E. Compton, which was adopted.

Senator Justus offered the following resolution:

### SENATE RESOLUTION NO. 579

BE IT RESOLVED by the Senate of the Ninety-fifth General Assembly, First Regular Session, that Senate Rule 71 be amended to read as follows:

“Rule 71. All resolutions proposing amendments to the constitution shall be treated, in all respects, in the introduction and form of proceedings on them in the senate, in the same manner as bills. All other orders and resolutions (except courtesy resolutions) shall be referred to a committee unless the senate otherwise expressly allows by a majority vote of senators elected. Courtesy resolutions will be read only upon request of the senator offering the resolution. Courtesy resolutions shall be printed in the Journal only upon the request of the senator offering the resolution. A senator who wishes to offer a courtesy resolution which is not to be read or printed [may file the resolution with the secretary of senate who will show the resolution in the Journal as having been adopted by the senate] **shall provide a copy of the resolution in draft form to each senator, who shall have five days in which to object to the adoption of the resolution by the senate. Such objection shall be filed with the secretary of the senate. If one or more senators object to the resolution, then the resolution shall not be shown as having been adopted by the senate and shall only contain the signatures of those senators who wish to sign the resolution. If no senator objects to the proposed resolution within five days of having been provided a draft copy of the resolution, then the secretary of the senate shall prepare properly inscribed copies of the resolution with a notation in the Journal, if the senate is in session, that the resolution has been adopted by the senate.**”

Senator Crowell offered Senate Resolution No. 580, regarding the 2008-2009 Class 2 District 3 Champion Meadow Heights girls basketball team, which was adopted.

Senator Crowell offered Senate Resolution No. 581, regarding the 2008-2009 Class 3 District 1 Champion Charleston boys basketball team, which was adopted.

## SENATE BILLS FOR PERFECTION

Senator Shields moved that **SB 291** be taken up for perfection, which motion prevailed.

Senator Shields offered **SS** for **SB 291**, entitled:

### SENATE SUBSTITUTE FOR SENATE BILL NO. 291

An Act to repeal sections 160.534, 160.730, 163.011, 163.043, 166.300, 313.775, 313.778, and 313.822, RSMo, and to enact in lieu thereof eleven new sections relating to education, with an effective date for a certain section and an emergency clause for certain sections.

Senator Shields moved that **SS** for **SB 291** be adopted.

Senator Rupp assumed the Chair.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 291, Page 26, Section 166.300, Line 19 of said page, by inserting after all of said line the following:

“173.1105. 1. [Beginning with the 2007-08 academic year,] An applicant who is an undergraduate postsecondary student at an approved private or public institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

**(1) For academic years 2009-2010, 2010-2011, 2011-2012, and 2012-2013:**

**(a)** One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

**(2) (b)** Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including Linn State Technical College; and

**(3) (c)** Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions.

**(2) For the 2013-14 academic year and subsequent years:**

**(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and**

**(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including Linn State Technical College, or approved private institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's [reimbursement pursuant to section 160.545, RSMo] **payment from the A+ schools program or its successor**. For purposes of this subsection, the term “increment group” shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline

established for the program upon the passage of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Crowell raised the point of order that **SA 1** is out of order as it goes beyond the scope of the legislation pursuant to Senate Rule 57.

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

Senator Green offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 291, Page 21, Section 163.043, Line 16 of said page, by inserting after all of said line the following:

**“163.095. For any district in the county with a charter form of government and with more than one million inhabitants that in calendar year 2005 (school year 2005-2006) erroneously set a levy in the capital projects fund rather than the incidental fund and reported the capital projects amount to the county for which the county issued tax notices and the district received taxes for calendar year 2005, the department of elementary and secondary education shall calculate the amount the district would have received in state school aid for fiscal year 2006 had the district placed the levy in the incidental fund rather than the capital projects fund and use this revised 2005-2006 calculated funding amount in the distribution of state school aid for fiscal year 2007 and subsequent years. The sum of the amounts due to the school district in state school aid after recalculation for fiscal years 2007, 2008, 2009, and 2010, shall be divided and distributed to the school district in equal amounts in fiscal years 2010, 2011, 2012, and 2013. The calculation shall not change the actual funding due the district for the 2005-2006 school year.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Purgason offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 160.820, Line 14, by inserting after all of said line the following:

**“162.225. 1. When the voters in any two or more school districts located, or whose territory is ninety percent located, in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven thousand three hundred inhabitants without limitation as to size and enrollment desire to reorganize and form a single new district and to create subdistricts within the single new district based upon the preexisting school district boundary lines, a petition asking for an election upon the question shall be filed with the board of education of the affected districts. Such petition shall be signed by the greater of the following numbers:**

**(1) Ten percent of those in each district who voted for school board members at the last election in which such members were elected; or**

**(2) One hundred voters.**

**2. As an alternative to the procedure in subsection 1 of this section, two or more school districts, which are located, or whose territory is ninety percent located in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven thousand three hundred inhabitants may, by a majority vote of each board of education, call for an election upon the question of reorganizing and forming a single new district with subdistricts within the single new district based upon the preexisting school district boundary lines.**

**3. The question shall be submitted in substantially the following form:**

**“Shall the .... school district and the ..... school district (and the .... school district) form a single new district in which these school districts would become subdistricts within the single new district based upon the preexisting school district boundary lines with a tax rate ceiling of ..... per one hundred dollars of assessed valuation? If this proposition is approved, the adjusted operating levy of the new school district is estimated to be .... (amount) per one hundred dollars of assessed valuation.”**

**YES**

**NO**

**4. The board of education of each affected district shall cause a question as described in subsection 3 that originated from a petition as described in subsection 1 to be included on the ballot to be submitted to the voters in each such district at the next general election day as defined in section 115.121, RSMo. Any such subsequent question shall only be included on the ballot to be submitted to the voters at the next general election day in a presidential year as defined in section 115.121. The board of education of each affected district shall cause a question as described in subsection 3 that originated from a majority vote of boards of education as described in subsection 2 to be submitted at the next general election day as defined in section 115.121. A plat of the proposed new district and subdistricts shall be published and posted with the notices of election.**

**5. The results of the voting on the proposal in each district affected shall be certified to the commissioner of education by the secretary of each board of education of each district or by such other person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters within each school district voting thereon are in favor of the proposal, the school districts shall be reorganized as one district with subdistricts within the single new district based upon the preexisting school district boundary lines. The commissioner of education shall declare the new district formed as of July first following the submission of the question. If a majority of the votes cast on the proposal by the qualified voters within each school district voting thereon are not in favor of the proposal, the school districts shall not be reorganized.**

**6. Upon the effective date of the reorganization, all indebtedness, property, records, and money on hand belonging thereto shall immediately pass to the new school district. The new district shall faithfully perform all existing contracts and assume all legal obligations of the prior school districts.**

**7. A vote of the people shall be required for the closing of a facility used for student instruction if such a closing would result in a subdistrict no longer having a facility used for student instruction. A vote of the people shall not be required for the closing of a facility used for student instruction if**

the school district constructs a replacement facility for student instruction within that subdistrict or if other facilities used for student instruction exist within that subdistrict. A vote of the people shall not be required for the closing of a facility not used for student instruction. The district's board of education shall cause the question of the closure of such a facility used for student instruction to be included on the ballot to be submitted to the voters in the subdistrict in which the facility used for student instruction is located at the next election day, upon the occurrence of the following:

(1) Receipt of a petition setting forth such fact signed by the greater of the following numbers:

(a) Ten percent of those in the subdistrict in which the facility used for student instruction is located who voted for school board members at the last election in which such members were elected; or

(b) One hundred voters of the subdistrict in which the facility used for student instruction is located; or

(2) A majority vote of the board of education.

The question shall be submitted in substantially the following form:

“Shall the ... (facility used for student instruction) be closed effective the ... day of ...?”

YES

NO

The results of the voting on the proposal shall be certified to the commissioner of education and the district's board of education by such person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters in the subdistrict voting thereon are in favor of the proposal, then the commissioner of education shall declare the facility used for student instruction closed on the effective date identified in the proposal. If a majority of the votes cast on the proposal by the qualified voters in the subdistrict voting thereon are not in favor of the proposal, then the facility used for student instruction shall not be closed.

8. A vote of the people shall be required for the modification of a subdistrict boundary line. The district's board of education shall cause the question of the modification of a subdistrict boundary line to be included on the ballot to be submitted to the voters in each subdistrict for which the boundary line would be modified at the next election day, upon the occurrence of the following:

(1) Receipt of a petition setting forth such fact signed by the greater of the following numbers:

(a) Ten percent of those in each subdistrict for which the boundary line would be modified who voted for school board members at the last election in which such members were elected; or

(b) One hundred voters from the subdistricts for which the boundary line would be modified; or

(2) A majority vote of the board of education.

The question shall be submitted in substantially the following form:

“Shall the boundary line between ... subdistrict and ... subdistrict be modified (describe geographic modification in boundary line) effective the ..... day of ....., ....?”

YES

NO

The results of the voting on the proposal shall be certified to the commissioner of education and the

**district's board of education by such person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters of the subdistricts voting thereon are in favor of the proposal, the commissioner of education shall declare the boundary line modified as of July first following the submission of the question. If a majority of the votes cast on the proposal by the qualified voters in the subdistricts voting thereon are not in favor of the proposal, the boundary line identified in the proposal shall not be modified.**

**9. A vote of the people shall be required for a restructuring of the grade levels offered within the current attendance center within a subdistrict. The district's board of education shall cause the question of the restructuring of grade levels offered within the current attendance center within the subdistrict to be included on the ballot to be submitted to the voters in the subdistrict at the next election day, upon the occurrence of the following:**

**(1) Receipt of a petition setting forth such fact signed by the greater of the following numbers:**

**(a) Ten percent of those in the subdistrict in which the restructuring of grade levels offered would occur who voted for school board members at the last election in which such members were elected; or**

**(b) One hundred voters from the subdistrict in which the restructuring of grade levels offered would occur; or**

**(2) A majority vote of the board of education.**

**The question shall be submitted in substantially the following form:**

**“Shall the ... subdistrict be restructured to offer grades .... (list grade level) through .... (list grade level) within the ..... (name attendance center) effective the ..... day of ....., ....?”**

**YES**

**NO”**

**The results of the voting on the proposal shall be certified to the commissioner of education and the district's board of education by such person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters in the subdistrict voting thereon are in favor of the proposal, the commissioner of education shall declare the grade levels offered within the current attendance center within the subdistrict restructured on the effective date identified in the proposal. If a majority of the votes cast on the proposal by the qualified voters in the subdistrict voting thereon are not in favor of the proposal, the restructuring of grade levels offered within the current attendance center within the subdistrict shall not occur.**

**10. Notwithstanding any provision of law to the contrary, a school district that is reorganized under this section shall be considered a seven director school district for purposes of other provisions of law.**

**162.227. For a school district that has been reorganized to contain subdistricts pursuant to section 162.225, the board of education shall consist of seven members. Voters in each subdistrict shall elect one member who resides in that subdistrict to represent and to serve on the board of education. Voters shall also elect a number of at-large members to serve on the board of education. The number of at-large members elected by voters shall be the difference between seven and the number of subdistricts within the school district. Members shall be citizens of the United States and resident taxpayers of the district, who have resided in this state for one year preceding their election or**

appointment, and who are at least twenty-four years of age. The term of office for members shall be three years, except as otherwise provided in section 162.228.

**162.228. 1.** If the proposal to reorganize a district pursuant to section 162.225 receives the required majority of the votes cast on the proposition, the terms of office of all school board members of each of the school districts that are to be reorganized into the new school district shall cease on June thirtieth following the submission of the question. The state board of education shall order an election in the district to be held to elect members to serve on the board of education for the district. Such election shall be held on the next general municipal election day. A letter from the commissioner of education, delivered by certified mail to the presiding commissioner of the county commission of the county in which the district formed by the provisions of section 162.225 is assigned shall be the authority for the county commission to proceed with election procedures in the same manner as they would be performed by the district board of education were it in existence. The costs of the election shall be shared equally by the districts that are being reorganized.

**2.** Initial school board members shall be elected in the following manner:

(1) The at-large member or members, as determined in section 162.227, shall be elected to serve until a successor is sworn in after the results of the first subsequent general municipal election.

(2) The number of school board members elected to serve until a successor is sworn in after the results of the second subsequent general municipal election shall be the difference between seven and the number of at-large members, divided by two, rounded up to the nearest whole number.

(3) The number of board members elected to serve until a successor is sworn in after the results of the third subsequent general municipal election shall be the difference between seven and the sum of the board members elected in subdivision 1 and subdivision 2 of this subsection.

(4) The commissioner of education, or his or her designee, shall supervise a drawing, by lot, to determine which elected school board members shall serve until a successor is sworn in after the results of the second subsequent general municipal election and the third subsequent general municipal election, as provided in subdivision (2) and subdivision (3) of this subsection. The state board of education shall approve the drawing by lot.

(5) Subsequent board members shall be elected to serve terms three year in length.

School board members elected under this subsection shall take office on July first following the election, as described in subsection 1 of this section.

**3.** In the event there is insufficient time to hold an election for school board members between the date that the commissioner of education declares the formation of the new district and the actual date of the new district's formation, seven board members from the boards of the reorganizing districts shall be drawn by lot to serve until the next election at which the new board of education can be elected. The number of board members selected from one district shall not exceed the quotient resulting from seven divided by the number of districts reorganizing rounded down to the nearest whole number plus one. The commissioner of education, or his or her designee, shall supervise the drawing, by lot, of the board members which shall be approved by the state board of education.

**162.229.** The tax rates of any two or more school districts reorganizing under section 162.225 shall be determined pursuant to section 162.202, RSMo.

162.241. If a proposal to form a district pursuant to the provisions of sections 162.171 to 162.191, 162.211 and 162.221, [or section] 162.223, **162.1200, or 162.1201** receives the required majority of the votes cast on the proposition, the state board of education or the county commission, in the case of a district formed pursuant to the provisions of sections 162.171 to 162.191 or 162.211 and 162.221, shall order an election in the district to be held. This election shall be for the purpose of electing seven members to serve on the school board of the district. Such election shall be held on the next election day as provided under section 115.123, RSMo, **except for a school district formed under section 162.1200 or 162.1201, in which case an election shall be held on the next general municipal election day.** The election shall be conducted in the manner provided by section 162.371. A letter from the commissioner of education, delivered by certified mail to the presiding commissioner of the county commission of the county to which the district formed by provisions of section 162.223 is assigned shall be the authority for the county commission to proceed with election procedures in the same manner as they would be performed by the district board of education were it in existence; but the costs of the election shall be paid from the incidental fund of the new district. Two directors shall be elected to serve until the next municipal election, two to serve until the second municipal election, and two to serve until the third municipal election. The seventh board member shall be elected to serve until the municipal election during which the majority of school districts elect three board members.

162.291. The voters of each seven-director district other than urban districts **or a school district that has been reorganized to contain subdistricts pursuant to section 162.225**, shall, at general municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in this state for one year next preceding their election or appointment, and who are at least twenty-four years of age.

162.459. 1. Notwithstanding other provisions of law to the contrary, the school board of each school district designated in the statutes as a seven-director, seven-director or urban school district, except an urban district containing the greater part of a city of more than three hundred thousand inhabitants, shall consist of seven members. At the first election for members of the school board in each of such districts after January 1, 1993, and each three years thereafter, three members of the school board shall be elected, **except in a school district that has been reorganized to contain subdistricts pursuant to section 162.225**; except, no school district composed of seven members as of January 1, 1993, shall be required to modify its schedule of electing board members.

2. Provisions of law applicable to seven-director, seven-director and urban school districts, except those which conflict with the provisions of this section, shall apply to and govern the school districts designated in subsection 1 of this section.

**162.1200. 1. The voters in any two or more school districts located, or whose territory is ninety percent located, in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven three hundred inhabitants without limitation as to size and enrollment may establish a new and separate seven director school district to provide educational instruction for grades nine through twelve. The boundary lines of such a school district shall be coterminous with the boundary lines of the school districts from which the voters established the school district providing educational instruction for grades nine through twelve. A petition asking for an election upon the question shall be filed with the board of education of each of the affected districts. Such petition shall be signed by the greater of the following numbers:**

**(1) Ten percent of those in each district who voted for school board members at the last election in which such members were elected; or**

**(2) One hundred voters.**

**2. As an alternative to the procedure in subsection 1 of this section, two or more school districts, which are located, or whose territory is ninety percent located in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven thousand three hundred inhabitants may, by a majority vote of each board of education, call for an election upon the question of establishing a new and separate seven director school district to provide educational instruction for grades nine through twelve. The boundary lines of such a school district shall be coterminous with the boundary lines of the school districts from which the boards of education voted to establish the school district providing educational instruction for grades nine through twelve.**

**3. The question shall be submitted in substantially the following form:**

**“Shall there be formed a new seven director school district to provide grades nine through twelve that shall be coterminous with the boundaries of ..... school district and ..... school district (and ..... school district) with a tax rate ceiling of ..... per one hundred dollars of assessed valuation?”**

**YES**

**NO**

**4. The board of education of each affected district shall cause a question as described in subsection 3 that originated from a petition as described in subsection 1 to be included on the ballot to be submitted to the voters in each such district at the next general election day as defined in section 115.121, RSMo. Any such subsequent question shall only be included on the ballot to be submitted to the voters at the next general election day in a presidential year as defined in section 115.121. The board of education of each affected district shall cause a question as described in subsection 3 that originated from a majority vote of boards of education as described in subsection 2 to be submitted at the next general election day as defined in section 115.121. A plat of the proposed new district and subdistricts shall be published and posted with the notices of election.**

**5. The results of the voting on the proposal in each district affected shall be certified to the commissioner of education by the secretary of the board of education of each district or by such other person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters within each school district voting thereon are in favor of the proposal, the new district shall be formed. The commissioner of education shall declare the new district formed as of July first following the election. If a majority of the votes cast on the proposal by the qualified within each school district voting thereon are not in favor of the proposal, the new district shall not be formed.**

**6. If a proposal to form a new school district under this section receives the required majority of votes cast, an election for school board members shall be held as provided in section 162.241.**

**7. A school district established under this section may issue bonds and levy and collect taxes and possess the same corporate powers as seven director school districts in this state.**

**8. If a proposal to form a new school district to provide grades nine through twelve under this**

section receives the required majority of votes cast, any affected school district that already provides grades nine through twelve shall cease to provide grades nine through twelve upon the effective date of the formation of the new district.

**162.1201. 1.** The voters in any two or more school districts that do not maintain an accredited high school which are located, or whose territory is ninety percent located, in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven three hundred inhabitants without limitation as to size and enrollment may establish a new and separate seven director school district to provide educational instruction for grades nine through twelve. The boundary lines of such a school district shall be coterminous with the boundary lines of the school districts from which the voters established the school district providing educational instruction for grades nine through twelve. A petition asking for an election upon the question shall be filed with the board of education of each of the affected districts. Such petition shall be signed by the greater of the following numbers:

- (1) Ten percent of those in each district who voted for school board members at the last election in which such members were elected; or
- (2) One hundred voters.

**2.** As an alternative to the procedure in subsection 1 of this section, two or more school districts, which are located, or whose territory is ninety percent located in a county of the third classification without a township form of government and with more than thirty-seven thousand two hundred but fewer than thirty-seven thousand three hundred inhabitants may, by a majority vote of each board of education, call for an election upon the question of establishing a new and separate seven director school district to provide educational instruction for grades nine through twelve. The boundary lines of such a school district shall be coterminous with the boundary lines of the school districts from which the boards of education voted to establish the school district providing educational instruction for grades nine through twelve.

**3.** The question shall be submitted in substantially the following form:

“Shall there be formed a new seven director school district to provide grades nine through twelve that shall be coterminous with the boundaries of ..... school district and ..... school district (and ..... school district) with a tax rate ceiling of ..... per one hundred dollars of assessed valuation?”

YES

NO

**4.** The board of education of each affected district shall cause a question as described in subsection 3 that originated from a petition as described in subsection 1 to be included on the ballot to be submitted to the voters in each such district at the next general election day as defined in section 115.121, RSMo. Any such subsequent question shall only be included on the ballot to be submitted to the voters at the next general election day in a presidential year as defined in section 115.121. The board of education of each affected district shall cause a question as described in subsection 3 that originated from a majority vote of boards of education as described in subsection 2 to be submitted at the next general election day as defined in section 115.121. A plat of the proposed new district and subdistricts shall be published and posted with the notices of election.

**5.** The results of the voting on the proposal in each district affected shall be certified to the

commissioner of education by the secretary of the board of education of each district or by such other person or body charged with conducting such elections. If a majority of the votes cast on the proposal by the qualified voters within each school district voting thereon are in favor of the proposal, the new district shall be formed. The commissioner of education shall declare the new district formed as of July first following the election. If a majority of the votes cast on the proposal by the qualified voters within each school district voting thereon are not in favor of the proposal, the new district shall not be formed.

6. If the proposal to form a new school district under this section receives the required majority of votes cast, an election for school board members shall be held as provided in section 162.241.

7. A school district established under this section may issue bonds and levy and collect taxes and possess the same corporate powers as seven director school districts in this state.”; and

Further amend the title and enacting clause accordingly.

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

Senator Days offered SA 4:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 160.820, Line 14, by inserting after said line the following:

“**162.083. 1. The state board of education may appoint additional members to any special administrative board appointed pursuant to section 162.081.**

**2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.**

**(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.**

**(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.**

**(3) The election shall be conducted in a manner consistent with the laws applicable to elections in seven-director districts.**

**3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board standing for an elected term on the board.**

**4. Should the state board of education appoint a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.**

**5. On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a seven-director district as otherwise authorized by law.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Justus offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 160.820, Line 14, by inserting after all of said line the following:

“162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants the terms of the members of the board of directors in office in 1967 shall continue until the end of the respective terms to which each of them has been elected to office and in each case thereafter until the next school election be held and until their successors, then elected, are duly qualified as provided in this section.

2. In each urban district designated in subsection 1, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 1969, divide the school district into six subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.

3. School elections for the election of directors shall be held on municipal election days in each even-numbered year. At the election in 1970, one member of the board of directors shall be elected by the voters of each subdistrict. The seven candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected and the at-large candidate receiving a plurality of the at-large votes shall be elected. In addition to other qualifications prescribed by law, each member elected from a subdistrict must be a resident of the subdistrict from which he is elected. The subdistricts shall be numbered from one to six and the directors elected from subdistricts one, three and five shall hold office for terms of two years and until their successors are elected and qualified, and the directors elected from subdistricts two, four and six shall hold office for terms of four years and until their successors are elected and qualified. Every two years thereafter a member of the board of directors shall be elected for a term of four years and until his successor is elected and qualified from each of the three subdistricts having a member on the board of directors whose term expires in that year. Those members of the board of directors who were in office in 1967 shall, when their terms of office expire, be succeeded by the members of the board of directors elected from subdistricts. In addition to the directors elected by the voters of each subdistrict, additional directors shall be elected at large by the voters of the entire school district as follows: In 1970 one director at large shall be elected for a two-year term. In 1972 one director at large shall be elected for a four-year term. In 1974 two at-large directors shall be elected for a four-year term and thereafter in alternative elections one director shall be elected for a four-year term and then two directors shall be elected for a four-year term, so that from and after the 1970 election the board of directors not including those members who were in office in 1967 shall consist of seven members until the 1974 election and thereafter the board shall consist of nine members. In those years in which one at-large director is to be elected each voter may vote for one candidate and the candidate receiving a plurality of votes cast shall be elected. In those years in which two at-large directors are to be elected each voter may vote for two candidates and the two receiving the largest number of votes cast shall be elected.

4. The six candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the

voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

5. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled, shall be elected.

6. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

7. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

8. Vacancies which occur on the school board between the dates of election shall be filled by [majority vote of the remaining members of the school board to serve until the time of the next regular school board election. Subdistrict director vacancies shall be filled by appointment of a resident of the subdistrict in which the vacancy occurs] **special election if such vacancy happens more than six months prior to the time of holding a general municipal election, as provided in section 115.121, RSMo. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding a general municipal election, no special election shall occur and the vacancy shall be filled at the next general municipal election.**”; and

Further amend the title and enacting clause accordingly.

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

Senator Smith offered **SA 6**:

#### SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 160.820, Line 14, by inserting after all of said line the following:

**“162.1168. 1. There is hereby established a pilot program within the Missouri preschool project to be known as the “Missouri Preschool Plus Grant Program”, which shall serve up to one thousand two hundred fifty students with high quality early childhood educational services in order to improve**

school readiness outcomes. The program shall be administered by the department of elementary and secondary education in collaboration with the coordinating board for early childhood. Grants shall be awarded in this section for three years and shall be renewable. The program shall be funded through appropriations to the Missouri preschool plus grant program fund. Funds from the gaming commission fund created in section 313.835 shall not be used to fund the program.

2. For purposes of this section, the following terms shall mean:

(1) “Department”, the department of elementary and secondary education;

(2) “Program”, the Missouri preschool plus grant program.

3. Grantees shall include the following:

(1) School districts classified as unaccredited by the state board of education; or

(2) Nonsectarian community-based organizations located within a school district classified as unaccredited by the state board of education.

4. If a school district becomes classified as provisionally accredited or accredited by the state board of education, the school district may complete the length of an existing grant and shall be eligible for one additional renewal for three years.

5. To receive a preschool placement under this section, a child shall be one or two years away from kindergarten entry.

6. The Missouri preschool plus grant program shall comply with the standards developed under section 161.213, RSMo. Public school grantees shall employ teachers with a bachelor's degree. Nonsectarian community-based organizations may employ teachers with at least an associate's degree provided such teachers demonstrate they are on the path to obtaining a bachelor's degree within five years.

7. Families with incomes less than one hundred thirty percent of the federal poverty guidelines shall receive free services through eligible grantees. Families with incomes at or above one hundred thirty percent of the federal poverty guidelines may be charged a co-pay on a sliding scale, as established by the department.

8. At least fifty percent of the preschool placements funded by the program shall be offered through non-sectarian community-based organizations.

9. The department shall develop standards for teacher-pupil ratios, classroom size, teacher training and educational attainment, and curriculum.

10. Grantees participating in the program shall give admission preference to dependents of active duty military personnel.

11. School districts in which such pilot programs exist shall collect data about short-term and long-term student performance so that the program may be evaluated on quantitative measurements developed by the department. For purposes of this subsection, “long-term” shall mean from point of entry to graduation from high school.

12. Grantees shall coordinate preschool programs with the nearest parents as teachers site to ensure a continuum of care.

**13. The department shall accept applications in a competitive bid process to begin implementation of the program for the 2010-2011 school year.**

**14. The department shall promulgate rules and regulations necessary to implement this section by January 1, 2010. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.**

**15. The general assembly shall appropriate an amount sufficient to adequately fund the provisions of this section, which shall be a minimum of five million dollars in any fiscal year.**

**16. There is hereby created in the state treasury the “Missouri Preschool Plus Grant Program Fund” which shall consist of general revenue appropriated to the program, funds received from the federal government, and voluntary contributions to support or match program activities. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for the administration of this section. Any moneys remaining in the fund at the end of the biennium shall 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.**

**17. Pursuant to section 23.253, RSMo, of the Missouri sunset act:**

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

**(2) If such program is reauthorized, the program authorized under this section shall automatically sunset 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 Smith moved that the above amendment be adopted, which motion prevailed.

Senator Shields offered SA 7:

#### SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 160.820, Line 14 of said page, by inserting after all of said line the following:

**“161.380. 1. Each public school shall develop standards for teaching no later than June 30, 2010. The standards shall be applicable to all public schools, including public charter schools operated by the board of a school district.**

**2. Teaching standards shall include, but not be limited to, the following:**

- (1) Students actively participate and are successful in the learning process;**
  - (2) Various forms of assessment are used to monitor and manage student learning;**
  - (3) The teacher is prepared and knowledgeable of the content and effectively maintains students' on-task behavior;**
  - (4) The teacher uses professional communication and interaction with the school community;**
  - (5) The teacher keeps current on instructional knowledge and seeks and explores changes in teaching behaviors that will improve student performance; and**
  - (6) The teacher acts as a responsible professional in the overall mission of the school.**
- 3. The department may provide assistance to public schools in developing these standards upon request.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Griesheimer assumed the Chair.

Senator Dempsey offered **SA 8**:

**SENATE AMENDMENT NO. 8**

Amend Senate Substitute for Senate Bill No. 291, Page 6, Section 162.1250, Line 26, by inserting at the end of said line the following:

**“Nothing in this section shall preclude a private, parochial, or home school student residing within a school district offering virtual school courses from enrolling in the school district in accordance with the combined enrollment provisions of section 167.031, RSMo, for the purposes of participating in the virtual school courses.”.**

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

Senator Engler assumed the Chair.

Senator Griesheimer assumed the Chair.

Senator Lager offered **SA 9**:

**SENATE AMENDMENT NO. 9**

Amend Senate Substitute for Senate Bill No. 291, Page 1, Section A, Line 6, by inserting after said line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, RSMo, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) “Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

- (a) Interactive literacy activities between parents and their children;
  - (b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;
  - (c) Parent literacy training that leads to high school completion and economic self sufficiency; and
  - (d) An age-appropriate education to prepare children of all ages for success in school;
- (4) “Graduation rate”, the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;
- (5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;
- (6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;
- (7) “Public school” includes all elementary and high schools operated at public expense;
- (8) “School board”, the board of education having general control of the property and affairs of any school district;
- (9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, **for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week**, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031, RSMo, during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. A “school term” may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children;
- (10) “Secretary”, the secretary of the board of a school district;
- (11) “Seven-director district”, any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;
- (12) “Taxpayer”, any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;
- (13) “Town”, any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;
- (14) “Urban school district”, any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.041. 1. The “minimum school day” consists of three hours **for schools with a five-day school week or four hours for schools with a four-day school week** in which the pupils are under the guidance and direction of teachers in the teaching process. A “school month” consists of four weeks of five days each **for schools with a five-day school week or four weeks of four days each for schools with a four-day school**

**week.** The “school year” commences on the first day of July and ends on the thirtieth day of June following.

2. Notwithstanding the provisions of subsection 1 of this section, the commissioner of education is authorized to reduce the required number of hours and days in which the pupils are under the guidance and direction of teachers in the teaching process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033, RSMo, prevents students from attending the public school facility.

Such reduction shall not extend beyond two calendar years in duration.”; and

Further amend said bill, page 26, section 166.300, line 19, by inserting after said line the following:

**“171.029. The school board of any school district in the state, upon adoption of a resolution by the vote of a majority of all its members to authorize such action, may establish a four-day school week in lieu of a five-day school week. Upon adoption of a four-day school week, any school that adopts a four-day school week shall file a calendar with the department of elementary and secondary education in accordance with section 171.031. Such calendar shall include, but not be limited to, a minimum term of one hundred forty-two days and one thousand forty-four hours of actual pupil attendance.**

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days **for schools with a five-day school week or one hundred forty-two school days for schools with a four-day school week**, and one thousand forty-four hours of actual pupil attendance. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031, RSMo, for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of

subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day **for schools with a five-day school week** shall be longer than seven hours except for vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, **and any school that adopts a four-day school week in accordance with section 171.029.**

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. A district shall be required to make up the first six days of school lost or canceled due to inclement weather and half the number of days lost or canceled in excess of six days. **Schools with a four-day school week may schedule such make-up days on the weekday for which school would normally not be in session.**

3. In the 2005-06 school year, a school district may be exempt from the requirement to make up days of school lost or canceled due to inclement weather occurring after April 1, 2006, in the school district, but such reduction of the minimum number of school days shall not exceed five days when a district has missed more than seven days overall, such reduction to be taken as follows: one day for eight days missed, two days for nine days missed, three days for ten days missed, four days for eleven days missed, and five days for twelve or more days missed. The requirement for scheduling two-thirds of the missed days into the next year's calendar pursuant to subsection 1 of this section shall be waived for the 2006-07 school year.

4. The commissioner of education may provide, for any school district in which schools are in session for twelve months of each calendar year that cannot meet the minimum school calendar requirement of at least one hundred seventy-four days **for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week** and one thousand forty-four hours of actual pupil attendance, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather, flooding or fire."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Shields, **SB 291**, with **SS** and **SA 9** (pending), was placed on the Informal Calendar.

### **REFERRALS**

President Pro Tem Shields referred **SR 579** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### **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 adopted **SCS** for **HCS** for **HB 14**, as amended, and has taken up and passed **SCS** for **HCS** for **HB 14**, as amended.

On motion of Senator Engler, the Senate recessed until 4:00 p.m.

**RECESS**

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

**RESOLUTIONS**

Senator Pearce offered Senate Resolution No. 582, regarding Chief Warrant Officer Dean Stonner, Lee's Summit, which was adopted.

Senator Bray offered Senate Resolution No. 583, regarding Captain Kevin J. Noland, St. Louis County, which was adopted.

Senator Bray offered Senate Resolution No. 584, regarding Missouri Votes Conservation, which was adopted.

Senator Rupp offered Senate Resolution No. 585, regarding the Boys & Girls Clubs of Missouri, which was adopted.

Senator Engler offered Senate Resolution No. 586, regarding Nancy Bullis, Farmington, which was adopted.

Senator Griesheimer offered Senate Resolution No. 587, regarding Lynn Michael Dorrell, Washington, 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 passed **HB 229**, entitled:

An Act to repeal sections 143.111, 143.113, 354.536, 376.426, 376.450, 376.453, 376.776, 379.930, 379.940, and 379.952, RSMo, and to enact in lieu thereof eleven new sections relating to health insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

**SENATE BILLS FOR PERFECTION**

Senator McKenna moved that **SB 130**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 130**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 130**

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of electronic wireless telecommunication devices while operating a motor vehicle upon the highways of this state, with penalty provisions.

Was taken up.

Senator McKenna moved that **SCS** for **SB 130** be adopted.

Senator McKenna offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 130, Page 2, Section 304.820, Lines 41-42, by striking the following: “a class C misdemeanor” and inserting in lieu thereof the following: “**an infraction**”.

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

Senator McKenna moved that **SCS** for **SB 130**, as amended, be adopted, which motion prevailed.

On motion of Senator McKenna, **SCS** for **SB 130**, as amended, was declared perfected and ordered printed.

President Pro Tem Shields assumed the Chair.

**SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **SCS** for **HCS** for **HB 14**, 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.

**SENATE BILLS FOR PERFECTION**

Senator Rupp moved that **SB 167**, with **SCS**, be taken up for perfection, which motion prevailed.  
**SCS** for **SB 167**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 167

An Act to repeal section 376.995, RSMo, and to enact in lieu thereof two new sections relating to insurance coverage for the diagnosis and treatment of autism spectrum disorders.

Was taken up.

Senator Rupp moved that **SCS** for **SB 167** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 167**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 167

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for the diagnosis and treatment of autism spectrum disorders.

Senator Rupp moved that **SS** for **SCS** for **SB 167** be adopted.

Senator Purgason offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 167, Page 8, Section 376.1224, Line 2, by inserting immediately after all of said line the following:

**“In addition, the provisions of this section shall not apply to a health benefit plan issued to a small employer under sections 379.930 to 379.952, RSMo, except that health carriers shall offer such small employer the coverage prescribed in this section as an optional benefit to that plan.”.**

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

Senator Pearce assumed the Chair.

Senator Rupp moved that **SS** for **SCS** for **SB 167** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **SB 167** was declared perfected and ordered printed.

Senator Rupp moved that **SB 65** and **SB 43**, with **SCS**, be taken up for perfection, which motion prevailed.

President Pro Tem Shields assumed the Chair.

**SCS** for **SBs 65** and **43**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 65 and 43

An Act to repeal sections 130.047, 407.1095, 407.1098, -----407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Was taken up.

Senator Rupp moved that **SCS** for **SBs 65** and **43** be adopted.

Senator Smith offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 65 and 43, Page 3, Section 407.1095, Line 28, by inserting immediately after the word “purpose” the following: **“and is not considered a push poll”**; and

Further amend said bill and section, page 3, line 39, by inserting immediately after said line the following:

**“(5) “Push poll”, a paid telephone survey, or series of similar telephone surveys, that reference a candidate or group of candidates other than in a basic preference question, and in which:**

**(a) A list or directory is used, exclusively or in part, to select respondents belonging to a particular subset or combination of subsets of the population, based on demographic or political characteristics such as race, sex, age, ethnicity, party affiliation, or similar types of characteristics;**

**(b) The survey fails to make demographic inquiries on factors such as age, household income, or status as a likely voter sufficient to allow for the tabulation of results based on a relevant subset of the population consistent with standard polling industry practices;**

**(c) The pollster or polling organization does not collect or tabulate the survey results;**

**(d) The survey prefaces a question regarding support for a candidate on the basis of an untrue statement; and**

**(e) The survey is primarily for the purpose of suppressing or changing the voting position of the**

**call recipient;**” and further amend said section by renumbering the remaining subdivisions accordingly.

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

Senator Rupp moved that **SCS** for **SBs 65** and **43**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SBs 65** and **43**, as amended, was declared perfected and ordered printed.

Senator Stouffer moved that **SB 89**, with **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SSA 1** for **SA 1** was again taken up.

At the request of Senator Callahan, the above substitute amendment was withdrawn.

**SA 1** was again taken up.

At the request of Senator Green, the above amendment was withdrawn.

Senator Stouffer offered **SS** for **SCS** for **SB 89**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 89

An Act to repeal sections 198.074, 198.075, 198.096, and 198.525, RSMo, and to enact in lieu thereof five new sections relating to safety in long-term care facilities.

Senator Stouffer moved that **SS** for **SCS** for **SB 89** be adopted.

At the request of Senator Stouffer, **SB 89**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 188**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 188**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 188

An Act to repeal sections 311.332, 311.333, 311.334, 311.335, 311.336, 311.338, and 311.490, RSMo, and to enact in lieu thereof five new sections relating to liquor control, with penalty provisions.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 188** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 188, Page 1, Section A, Line 4, by inserting after all of said line the following:

“311.060. 1. No person shall be granted a license hereunder unless such person is of good moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or village, nor shall any corporation be granted a license hereunder unless the managing officer of such corporation is of good

moral character and a qualified legal voter and taxpaying citizen of the county, town, city or village; and no person shall be granted a license or permit hereunder whose license as such dealer has been revoked, or who has been convicted, since the ratification of the twenty-first amendment to the Constitution of the United States, of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who employs in his **or her** business as such dealer, any person whose license has been revoked or who has been convicted of violating such law since the date aforesaid; provided, that nothing in this section contained shall prevent the issuance of licenses to nonresidents of Missouri or foreign corporations for the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquors to, by or through a duly licensed wholesaler, within this state.

2. (1) No person, partnership or corporation shall be qualified for a license under this law if such person, any member of such partnership, or such corporation, or any officer, director, or any stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of the stock of such corporation, or other financial interest therein, or ten percent or more of the interest in the business for which the person, partnership or corporation is licensed, or any person employed in the business licensed under this law shall have had a license revoked under this law or shall have been convicted of violating the provisions of any law applicable to the manufacture or sale of intoxicating liquor since the ratification of the twenty-first amendment to the Constitution of the United States, or shall not be a person of good moral character.

(2) No license issued under this chapter or chapter 312, RSMo, shall be denied, suspended, revoked or otherwise affected based solely on the fact that an employee of the licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor [so long as any such employee does not directly participate in retail sales of intoxicating liquor]. Each employer shall report the identity of any employee convicted of a felony to the division of liquor control. The division of liquor control shall promulgate rules to enforce the provisions of this subdivision.

(3) No wholesaler license shall be issued to a corporation for the sale of intoxicating liquor containing alcohol in excess of five percent by weight, except to a resident corporation as defined in this section.

3. A "resident corporation" is defined to be a corporation incorporated under the laws of this state, all the officers and directors of which, and all the stockholders, who legally and beneficially own or control sixty percent or more of the stock in amount and in voting rights, shall be qualified legal voters and taxpaying citizens of the county and municipality in which they reside and who shall have been bona fide residents of the state for a period of three years continuously immediately prior to the date of filing of application for a license, provided that a stockholder need not be a voter or a taxpayer, and all the resident stockholders of which shall own, legally and beneficially, at least sixty percent of all the financial interest in the business to be licensed under this law; provided, that no corporation, licensed under the provisions of this law on January 1, 1947, nor any corporation succeeding to the business of a corporation licensed on January 1, 1947, as a result of a tax-free reorganization coming within the provisions of Section 112, United States Internal Revenue Code, shall be disqualified by reason of the new requirements herein, except corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight, or owned or controlled, directly or indirectly, by nonresident persons, partnerships or corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight.

4. The term "financial interest" as used in this chapter is defined to mean all interest, legal or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such interest in the net profits of

the enterprise, after the payment of reasonable and necessary operating business expenses and taxes, including interest in dividends, preferred dividends, interest and profits, directly or indirectly paid as compensation for, or in consideration of interest in, or for use of, the capital devoted to the enterprise, or for property or money advanced, loaned or otherwise made available to the enterprise, except by way of ordinary commercial credit or bona fide bank credit not in excess of credit customarily granted by banking institutions, whether paid as dividends, interest or profits, or in the guise of royalties, commissions, salaries, or any other form whatsoever.

5. The supervisor shall by regulation require all applicants for licenses to file written statements, under oath, containing the information reasonably required to administer this section. Statements by applicants for licenses as wholesalers and retailers shall set out, with other information required, full information concerning the residence of all persons financially interested in the business to be licensed as required by regulation. All material changes in the information filed shall be promptly reported to the supervisor.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Dempsey raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying legislation.

Senator Schmitt assumed the Chair.

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

President Pro Tem Shields assumed the Chair.

Senator Justus moved that **SA 1** be adopted, which motion prevailed.

Senator Cunningham offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 188, Page 1, Section A, Line 4, by inserting after all of said line the following:

“311.297. 1. Any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide and pour distilled spirits, wine, or malt beverage samples off a licensed retail premises for tasting purposes provided no sales transactions take place. For purposes of this section, a “sales transaction” shall mean an actual and immediate exchange of monetary consideration for the immediate delivery of goods at the tasting site.

2. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples for customer tasting purposes on any temporary licensed retail premises as described in section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

**3. Notwithstanding any other provisions of this chapter to the contrary, any winery, distiller, manufacturer, wholesaler, or brewer or designated employee may provide, furnish, or pour distilled spirits, wine, or malt beverage samples on a licensed retail premises for customer tasting purposes. The retail licensed premises where such product tasting is provided shall maintain a special permit in accordance with section 311.294 or hold a by-the-drink-for-consumption-on-the-premises-where-**

**sold retail license. No money or anything of value shall be given to the retailers for the privilege or opportunity of conducting the on-the-premises product tasting.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Callahan offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 188, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“311.260. 1. No person, corporation, employee, officer, agent, subsidiary, or affiliate thereof, shall:

(1) Have more than [three] **five** licenses; or

(2) Be directly or indirectly interested in any business of any other person, corporation, or employee, officer, agent, subsidiary, or affiliate thereof, who sells intoxicating liquor at retail by the drink for consumption on the premises described in any license; or

(3) Sell intoxicating liquor at retail by the drink for consumption at the place of sale at more than three places in this state.

2. Notwithstanding any other provision of this chapter or municipal ordinance to the contrary, for the purpose of determining whether a person, corporation, employee, officer, agent, subsidiary, or affiliate thereof has a disqualifying interest in more than three licenses pursuant to subsection 1 of this section, there shall not be counted any license to sell intoxicating liquor at retail by the drink for consumption on the following premises:

(1) Restaurants where at least fifty percent of the gross income of which is derived from the sale of prepared meals or food consumed on the premises where sold; or

(2) Establishments which have an annual gross income of at least two hundred thousand dollars from the sale of prepared meals or food consumed on the premises where sold; or

(3) Facilities designed for the performance of live entertainment and where the receipts for admission to such performances exceed one hundred thousand dollars per calendar year; or

(4) Any establishment having at least forty rooms for the overnight accommodation of transient guests.”; and

Further amend the title and enacting clause accordingly.

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

Senator Dempsey moved that **SCS** for **SB 188**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 188**, as amended, was declared perfected and ordered printed.

Senator Lager moved that **SB 272** be taken up for perfection, which motion prevailed.

Senator Wilson offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Bill No. 272, Page 1, Section A, Line 2, by inserting after all of said line the following:

“260.273. 1. Any person purchasing a new tire may present to the seller the used tire or remains of such used tire for which the new tire purchased is to replace.

2. A fee for each new tire sold at retail shall be imposed on any person engaging in the business of making retail sales of new tires within this state. The fee shall be charged by the retailer to the person who purchases a tire for use and not for resale. Such fee shall be imposed at the rate of fifty cents for each new tire sold. Such fee shall be added to the total cost to the purchaser at retail after all applicable sales taxes on the tires have been computed. The fee imposed, less six percent of fees collected, which shall be retained by the tire retailer as collection costs, shall be paid to the department of revenue in the form and manner required by the department of revenue and shall include the total number of new tires sold during the preceding month. The department of revenue shall promulgate rules and regulations necessary to administer the fee collection and enforcement. The terms “sold at retail” and “retail sales” do not include the sale of new tires to a person solely for the purpose of resale, if the subsequent retail sale in this state is to the ultimate consumer and is subject to the fee.

3. The department of revenue shall administer, collect and enforce the fee authorized pursuant to this section pursuant to the same procedures used in the administration, collection and enforcement of the general state sales and use tax imposed pursuant to chapter 144, RSMo, except as provided in this section. The proceeds of the new tire fee, less four percent of the proceeds, which shall be retained by the department of revenue as collection costs, shall be transferred by the department of revenue into an appropriate subaccount of the solid waste management fund, created pursuant to section 260.330.

4. Up to five percent of the revenue available may be allocated, upon appropriation, to the department of natural resources to be used cooperatively with the department of elementary and secondary education for the purposes of developing educational programs and curriculum pursuant to section 260.342.

5. Up to twenty-five percent of the moneys received pursuant to this section may, upon appropriation, be used to administer the programs imposed by this section. Up to five percent of the moneys received under this section may, upon appropriation, be used for the grants authorized in subdivision (2) of subsection 6 of this section and authorized in section 260.274. All remaining moneys shall be allocated, upon appropriation, for the projects authorized in section 260.276, except that any unencumbered moneys may be used for public health, environmental, and safety projects in response to environmental emergencies as determined by the director.

6. The department shall promulgate, by rule, a statewide plan for the use of moneys received pursuant to this section to accomplish the following:

(1) Removal of waste tires from illegal tire dumps;

(2) Providing grants to persons that will use products derived from waste tires, or used waste tires as a fuel or fuel supplement; and

(3) Resource recovery activities conducted by the department pursuant to section 260.276.

7. The fee imposed in subsection 2 of this section shall begin the first day of the month which falls at least thirty days but no more than sixty days immediately following August 28, 2005, and shall terminate January 1, [2010] **2020**.

8. By January 1, 2009, the department shall report to the general assembly a complete accounting of the tire cleanups completed or in progress, the cost of the cleanups, the number of tires remaining, the balance of the fund, and enforcement actions completed or initiated to address waste tires.”; and

Further amend the title and enacting clause accordingly.

Senator Wilson moved that the above amendment be adopted.

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

Senator Stouffer assumed the Chair.

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

President Pro Tem Shields assumed the Chair.

On motion of Senator Lager, **SB 272** was declared perfected and ordered printed.

Senator Schmitt moved that **SJR 5**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SJR 5**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 5**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 18(b) and 31 of article VI of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to assessors.

Was taken up.

Senator Schmitt moved that **SCS** for **SJR 5** be adopted.

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

**SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for Senate Joint Resolution No. 5, Page 1, Section 31, by striking all of said section from the joint resolution; and

Further amend the title accordingly.

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

Senator Schmitt moved that **SCS** for **SJR 5**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SJR 5**, as amended, was declared perfected and ordered printed.

**REPORTS OF STANDING COMMITTEES**

Senator Engler, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 167** and **SCS** for **SB 130**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 18**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 23**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

### **REFERRALS**

President Pro Tem Shields referred **HCS** for **HCRs 22** and **25**; and **HCR 13** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Shields referred **SS** for **SCS** for **SB 167** to the Committee on Governmental Accountability and Fiscal Oversight.

### **INTRODUCTIONS OF GUESTS**

Senator Dempsey introduced to the Senate, fourth grade students from St. Cletus School, St. Charles.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Elie Azrak, M.D., St. Louis.

Senator Pearce introduced to the Senate, Moses Eberly and Carl Hoover, Warrensburg.

Senator Clemens introduced to the Senate, Mr. and Mrs. Jim Sjothun, Mandy Sjothun and her son, Eric Matthew, and Valerie Sjothun, Marshfield; and Eric Matthew was made an honorary page.

Senator Smith introduced to the Senate, Leah Menshouse, St. Louis.

On behalf of the President, Senator Rupp introduced to the Senate, Craig Lalumandier, his wife, Cheryl and their sons, Luke and Jake, Weldon Spring; and Luke and Jake were made honorary pages.

Senator Dempsey introduced to the Senate, Sharon Lee, St. Peters.

Senator Schmitt introduced to the Senate, Josh Foster, Andy Simpson, Mike Stachiw, Pat Hedge, Matt Gonzalez, Jack LaFontain, Mike Shaw, Thomas Finken Keller, Will LaChance and Ben Kremer, members of the Political Action Club, DeSmet High School, St. Louis.

Senator Lembke introduced to the Senate, Josh Foster, St. Louis.

Senator Griesheimer introduced to the Senate, Mike and Chuck Marquart, Washington.

Senator Schmitt introduced to the Senate, Sarah Schwegel and her mother, Sandy, St. Louis; and Darrell Smith, Blue Springs.

Senator Cunningham introduced to the Senate, Dani Corbitt, Chesterfield.

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

SENATE CALENDAR

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FORTY-FIRST DAY—WEDNESDAY, MARCH 25, 2009

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 96	HCS for HB 247
HB 744-Icet	HCS for HB 236
HB 287-Day, et al	HB 91-Pollock, et al
HB 86-Sutherland	HCS for HBs 93 & 216
HCS for HB 242	HB 269-Parson, et al
HB 65-Wilson (119), et al	HB 488-Schad, et al
HCS for HB 580	HB 490-Schad, et al
HCS for HB 82	HB 83-Wood
HCS for HB 310	HCS for HB 148
HCS for HB 459	HCS for HB 154
HCS for HB 111	HB 376-Hobbs, et al
HB 289-Wallace	HB 395-Nance, et al
HB 682-Swinger, et al	HB 218-Ervin
HCS for HB 286	HB 400-Nasheed, et al
HCS for HBs 46 & 434	HB 506-Funderburk, et al
HB 678-Wasson	HCS for HB 251
HCS for HB 359	HB 259-Tilley
HB 239-Jones (89), et al	HCS for HB 124
HCS for HB 740	HB 69-Storch
HCS for HJR 23	HB 229-Ervin

THIRD READING OF SENATE BILLS

SCS for SB 176-Stouffer	SS for SCS for SB 167-Rupp (In Fiscal Oversight)
SS for SB 58-Stouffer (In Fiscal Oversight)	SCS for SB 130-McKenna, et al

SENATE BILLS FOR PERFECTION

- |                                 |                            |
|---------------------------------|----------------------------|
| 1. SB 363-Griesheimer, with SCS | 3. SB 256-Schaefer         |
| 2. SB 355-Dempsey, with SCS     | 4. SB 307-Dempsey and Rupp |

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|------------------------------------|---|
| 5. SB 306-Dempsey, et al, with SCS | 13. SB 94-Justus, et al, with SCS           |
| 6. SJR 3-Crowell                   | 14. SB 477-Wright-Jones                     |
| 7. SB 409-Stouffer, with SCS       | 15. SB 141-Smith and Wright-Jones, with SCS |
| 8. SB 364-Clemens and Schaefer     | 16. SB 267-Mayer and Green                  |
| 9. SB 527-Nodler and Bray          | 17. SBs 335 & 16-Rupp, with SCS             |
| 10. SB 539-Schaefer, with SCS      | 18. SBs 207 & 245-Rupp, with SCS            |
| 11. SB 321-Days, et al, with SCS   | 19. SB 172-Green and Cunningham             |
| 12. SB 117-Green, with SCS         |   |

### HOUSE BILLS ON THIRD READING

HCS for HB 191, with SCS  
(Griesheimer) (In Fiscal Oversight)

### INFORMAL CALENDAR

### SENATE BILLS FOR PERFECTION

- |   |   |
|---|---|
| SB 5-Griesheimer, with SCS, SS for SCS & SA 2 (pending)                             | SB 174-Griesheimer and Goodman, with SCS, SS#2 for SCS & SA 2 (pending)             |
| SB 7-Griesheimer, with SS (pending)   | SCS for SB 189-Shields  |
| SB 18-Bray, et al, with SCS & SS for SCS (pending)                                  | SB 216-Scott, with SCS  |
| SB 29-Stouffer  | SBs 223 & 226-Goodman, with SCS (pending)   |
| SBs 45, 212, 136, 278, 279, 285 & 288-Pearce, with SCS, SS for SCS & SA 1 (pending) | SB 236-Lembke   |
| SB 57-Stouffer, with SCS  | SBs 261, 159, 180 & 181-Bartle and Goodman, with SCS, SS#3 for SCS & SA 1 (pending) |
| SB 72-Stouffer, with SCS  | SB 264-Mayer  |
| SB 89-Stouffer, with SCS & SS for SCS (pending)                                     | SB 284-Lembke, et al  |
|   | SB 291-Shields, with SS & SA 9 (pending)  |

### CONSENT CALENDAR

#### Senate Bills

Reported 3/11

- |                |                         |
|----------------|-------------------------|
| SB 513-Dempsey | SB 296-Scott            |
| SB 396-Justus  | SB 276-Barnitz          |
| SB 421-Pearce  | SB 337-Rupp             |
| SB 435-Lembke  | SB 468-Justus, with SCS |

SB 338-Rupp, with SCS  
SB 318-Lembke, with SCS  
SB 398-Barnitz  
SB 357-Purgason  
SB 485-Pearce  
SB 480-Shoemyer  
SB 394-Ridgeway, with SCS  
SB 464-Stouffer

SB 447-Pearce  
SB 399-Justus  
SB 387-Barnitz  
SB 386-Lager  
SB 377-Rupp  
SB 266-Mayer  
SB 253-Justus, with SCS  
SB 526-Clemens

Reported 3/12

SB 507-Callahan  
SB 563-Smith, with SCS

SB 411-Crowell, with SCS  
SB 161-Crowell

RESOLUTIONS

Reported from Committee

SR 141-Engler, with point of order (pending)  
SCR 7-Pearce  
SR 207-Lembke and Smith, with SCS & SS  
for SCS (pending)  
SCR 11-Bartle, et al

SCR 14-Schmitt  
SCR 21-Clemens  
SCR 10-Rupp  
SCR 18-Bartle and Rupp  
SCR 23-Schmitt

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