

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SIXTH DAY—MONDAY, MAY 7, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The true, living faith, which the Holy Spirit instills into the heart, simply cannot be idle.” (Martin Luther)

Dear Lord, we are thankful for our safe travel to begin another week in the work of the people. Inspire us this week so that we work actively and continually to accomplish what must be completed and put our minds and hearts into those bills that are most helpful to those who need them the most. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal for Thursday, May 3, 2012 was read and approved.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 2089, regarding the One Hundred Seventy-fifth Anniversary of the establishment of Jamestown, which was adopted.

Senator Kehoe offered Senate Resolution No. 2090, regarding James E. Hogg, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2091, regarding Robert D. Murphy, which was adopted.

Senator Engler offered Senate Resolution No. 2092, regarding Lawrence and Fairan Naeger, Jackson, which was adopted.

Senator Engler offered Senate Resolution No. 2093, regarding Betty Wade, Desloge, which was adopted.

Senator Schaefer offered Senate Resolution No. 2094, regarding Mike Redington, Centralia, which was adopted.

Senator Lamping offered Senate Resolution No. 2095, regarding Jaime M. Bodden, which was adopted.

Senator Lamping offered Senate Resolution No. 2096, regarding Jesse Favre, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 2097, regarding Stephen E. Egart, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2098, regarding Logan Nuernberger, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2099, regarding Katherine Riebold, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2100, regarding Meredith Jones, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2101, regarding Heidi Geisbuhler, which was adopted.

Senator Crowell offered Senate Resolution No. 2102, regarding Karen Langefeld, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2103, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Walker Green, Cape Girardeau, which was adopted.

Senator Pearce offered Senate Resolution No. 2104, regarding Alexa Cubbage, Taylor Norcross and Dominic Puller, which was adopted.

Senator Pearce offered Senate Resolution No. 2105, regarding Nevada School District Regional Technical Center students, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2106, regarding Julia Lucy Zagaja, Lake St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2107, regarding Elizabeth Elaine Ruhbeck, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2108, regarding Lea Ann Owens, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2109, regarding LeAnne Elizabeth Phillips, Whiteside, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2110, regarding Chelsea Lynne Welch, Hillsboro, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2111, regarding Taylor Rae Barker, Eolia, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2112, regarding Ashley Marie Dennis, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2113, regarding Bethany Ann Wehner, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2114, regarding MaryAnn Elizabeth VanWalleghen, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2115, regarding Allison N. Roehl, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2116, regarding Amanda Brook Prescott, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2117, regarding Katherine Mary McDonald, Creve Coeur, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2118, regarding Rachel Natalya-Murphy Kibby, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2119, regarding Athena C. Eitel, Hannibal, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2120, regarding Nicole Elizabeth deRoode, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2121, regarding Rachel Anne Musick, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2122, regarding Kyla Emily Jansen, DeSoto, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2123, regarding Alyssa Nicole Flotron, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2124, regarding Danielle J. Dowdy, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2125, regarding Ashley Marie Crites, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2126, regarding Brianna Reed Hall, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2127, regarding Michele Elizabeth Hesselbein, St.

Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2128, regarding Rebekah Ann Hesselbein, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2129, regarding Raegene Inez Hope, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2130, regarding Amanda Louise Michaels, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2131, regarding Carlyn Elizabeth Muehlhauser, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2132, regarding Kelsey Caroline Nagel, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2133, regarding Brittany Lynn Rockfield, Maryland Heights, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2134, regarding Emily Kay Saindon, Portage des Sioux, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2135, regarding Caitlin Elizabeth Dempsey, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2136, regarding Brianna Jasmine Kruger, Wentzville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2137, regarding Abigail Ann Sartori, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2138, regarding Kathryn Elizabeth Alberta Gonz, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2139, regarding Claire R. Solomon, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2140, regarding Emily MacKenzie Esther, Frontenac, which was adopted.

Senator Ridgeway offered Senate Resolution No. 2141, regarding Patrick Emery Addison Cruz, Liberty, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SCS** for **SB 710**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1854**, entitled:

An Act to repeal sections 135.630, 135.1150, 208.152, 209.200, 209.202, 288.034, and 304.028, RSMo, and to enact in lieu thereof eleven new sections relating to services provided to individuals with disabilities, with a penalty provision and an expiration date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1900**, entitled:

An Act to repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.251, 210.1014, 217.575, 251.100, 251.240, 253.320, 261.010, 301.020, 302.171, 311.650, 311.730, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, and 620.1580, RSMo, and to enact in lieu thereof sixty-nine new sections for the sole purpose of restructuring statutes based on executive branch reorganizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 498**, entitled:

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations, with an emergency clause.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, Page 1, In the Title, Lines 2 and 3, by striking the following: “retail businesses operated by charitable organizations” and inserting in lieu thereof the following: “protecting the financial well being of vulnerable populations”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“42.300. 1. There is hereby created in the state treasury the “Veterans Commission Capital Improvement Trust Fund” which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans’ homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; [and]

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I; **and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the “Early Childhood Development, Education and Care Fund” [which shall consist of money collected under section 313.835 and] which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

(1) Grants or contracts may be provided for:

(a) Start-up funds for necessary materials, supplies, equipment and facilities; and

(b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

(2) Grant and contract applications shall, at a minimum, include:

(a) A funding plan which demonstrates funding from a variety of sources including parental fees;

(b) A child development, education and care plan that is appropriate to meet the needs of children;

(c) The identity of any partner agencies or contractual service providers;

(d) Documentation of community input into program development;

(e) Demonstration of financial and programmatic accountability on an annual basis;

(f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

(3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:

(a) Are new or expanding programs which increase capacity;

(b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(c) Are programs designed for special needs children;

(d) Are programs that offer services during nontraditional hours and weekends; or

(e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, 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 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 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, 2010, shall be invalid and void.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year [1999] **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first [four and one-half] **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third [three] **four** million dollar portion shall be transferred to the Missouri national guard trust

fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund [except as provided in paragraphs (e) and (f) of this subdivision, and], after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the [early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation, to the early childhood development, education and care fund created in section 161.215] **veterans' commission capital improvement trust fund created in section 42.300.**"; and

Further amend said bill, Page 1, Section B, Line 1, by striking the following: "preserve the rights of veterans" and inserting in lieu thereof the following: "protect the financial well being of vulnerable populations"; and

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

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7** and **HA 8** to **SB 611** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HA 1, HA 2, HA 3**, as amended, **HA 4, HA 5** and **HA 6** to **SS** for **SCS** for **SB 719** and grants the Senate a conference thereon.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 568**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 568

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 568, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6 and House Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 568, as amended;
2. The Senate recede from its position on Senate Bill No. 568;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 568, as amended be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson

/s/ Bill Stouffer

/s/ Ron Richard

/s/ Ryan McKenna

/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Ward Franz

/s/ Ryan Silvey

/s/ Wanda Brown

Stephen Webber

/s/ Tim Meadows

Senator Parson moved that the above conference committee report be adopted.

At the request of Senator Parson, his motion to adopt the conference committee report was withdrawn which placed the bill back on the calendar.

Senator Pearce assumed the Chair.

Senator Munzlinger moved that **SCS** for **SB 498**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 498**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations, with an emergency clause.

Was taken up.

Senator Munzlinger moved that **HCS** for **SCS** for **SB 498**, as amended, be adopted.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed

indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete “May 17” and insert in lieu thereof “May 18”.

Senator Kehoe assumed the Chair.

At the request of Senator Crowell, his amendment to the substitute motion was withdrawn.

At the request of Senator Crowell, his substitute motion was withdrawn.

At the request of Senator Crowell, his motion to postpone indefinitely the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn.

The motion made by Senator Munzlinger to adopt **HCS** for **SCS** for **SB 498**, as amended, was again taken up.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete “May 17” and insert in lieu thereof “May 16”.

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete “May 16” and insert in lieu thereof “May 18”.

Senator Dempsey requested a roll call vote be taken on the adoption of the substitute amendment offered by Senator Crowell. He was joined in his request by Senators Callahan, Justus, Stouffer and Wasson.

At the request of Senator Munzlinger, his motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn which placed the bill back on the calendar.

Senator Munzlinger moved that **SCS** for **SB 498**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 498**, as amended, was again taken up.

Senator Munzlinger moved that **HCS** for **SCS** for **SB 498**, as amended, be adopted.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed

indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete “May 17” and insert in lieu thereof “May 16”.

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete “May 16” and insert in lieu thereof “May 18”.

Senator Munzlinger requested a roll call vote be taken on the adoption of the substitute amendment offered by Senator Crowell. He was joined in his request by Senators Callahan, McKenna, Parson and Schaefer.

At the request of Senator Munzlinger, his motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn which placed the bill back on the calendar.

Senator Parson moved that the conference committee report on **HCS** for **SB 568**, as amended, be taken up for adoption, which motion prevailed.

Senator Parson moved that the conference committee report be adopted.

Senator Crowell moved that the motion to adopt the conference committee report on **HCS** for **SB 568**, as amended, be postponed indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt the conference committee report on **HCS** for **SB 568**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete “May 17” and insert in lieu thereof “May 16”.

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete “May 16” and insert in lieu thereof “May 18”.

At the request of Senator Parson, his motion for the adoption of the conference committee report was withdrawn which placed the bill back on the calendar.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 2142, regarding James Edward Whaley, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Goodman introduced to the Senate, his wife Laura and their sons, Jack Elliott and William True, Mt. Vernon; his sister, Lori Johnson, and her children, Cameron, Tyler and Kate, Pierce City; and Jack Elliott, William True, Cameron, Tyler and Kate were made honorary pages.

Senator Pearce introduced to the Senate, Daric Ewell and Nancy Ossenford, Warrensburg.

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

SENATE CALENDAR

 SIXTY-SEVENTH DAY—TUESDAY, MAY 8, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1245	HCS for HB 1049
HCS for HB 1526	HCS for HB 1639
HCS for HB 1803	HCS for HB 1988
HB 1455-Gatschenberger, et al	HCS for HB 1854
HCS for HB 1710	HCS for HB 1900

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS	SB 765-Schaefer
SB 745-Lembke	SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

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| 1. HB 1051-Allen, et al, with SCS (Lager)
(In Fiscal Oversight) | 7. HB 1036-Dugger, with SCS (Engler) |
| 2. HB 1403-Schatz, et al (Dempsey)
(In Fiscal Oversight) | 8. HCS for HJR 41 (Green) |
| 3. HB 1318-Riddle, et al (Kehoe)
(In Fiscal Oversight) | 9. HCS for HB 1150, with SCS (Brown) |
| 4. HCS for HB 1640, with SCS (Stouffer)
(In Fiscal Oversight) | 10. HCS for HB 1361 (Lager) |
| 5. HB 1170-Franz, with SCS (Parson) | 11. HCS for HB 1072, with SCS (Brown) |
| 6. HCS for HB 1498, with SCS (Schmitt)
(In Fiscal Oversight) | 12. HCS for HB 1563, with SCS (Wasson) |
| | 13. HB 1337-Stream, with SCS (Brown) |
| | 14. HCS for HB 1722 (Pearce) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham	SCS for SB 842-Lamping
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SENATE BILLS FOR PERFECTION

SB 438-Mayer
 SB 439-Mayer, with SCS, SA 1, SSA 1 for
 SA 1 & SA 1 to SSA 1 for SA 1 (pending)
 SB 442-Stouffer, with SCS
 SB 449-Rupp
 SB 451-Cunningham, with SCS
 SB 454-Pearce, with SA 1 (pending)
 SB 457-Schmitt, with SCS & SS for SCS
 (pending)
 SB 465-Schaaf
 SB 474-Kraus, with SCS & SA 1 (pending)
 SB 475-Lamping
 SB 479-Crowell
 SB 490-Munzlinger, with SCS
 SB 491-Munzlinger, with SCS
 SB 516-Schaaf, with SCS (pending)
 SB 547-Purgason
 SB 548-Purgason, with SCS
 SB 549-Lembke
 SBs 553 & 435-Brown, with SCS, SS for
 SCS & SA 1 (pending)
 SB 577-Goodman and Rupp, with SCS
 SB 584-Richard and Kehoe, with SCS
 SBs 588 & 585-Schmitt, with SCS (pending)
 SB 589-Kraus, with SCS (pending)
 SB 596-Brown, with SCS
 SB 621-Brown, with SCS, SS for SCS & SA 1
 (pending)
 SB 623-Cunningham, with SCS
 SB 645-Schaefer
 SB 650-Ridgeway, with SS & SA 2 (pending)
 SB 652-Lager
 SB 656-Lager and Dixon, with SCS
 SB 657-Rupp, with SCS (pending)
 SB 659-Dempsey and Rupp
 SB 661-Schmitt, with SCS (pending)
 SB 666-Keaveny, with SCS & SS for SCS
 (pending)
 SB 675-Crowell, with SCS (pending)
 SB 676-Nieves, with SCA 1 (pending)
 SB 693-Crowell
 SB 695-Parson
 SB 706-Cunningham, with SCS
 SB 717-Stouffer
 SB 743-Brown
 SB 744-Wright-Jones, with SCS & SA 2
 (pending)
 SB 795-Callahan, et al, with SCS
 SB 807-Dempsey
 SB 816-Kraus, with SCS
 SBs 817 & 774-Parson, with SCS
 SB 818-Parson, with SCS
 SB 834-Mayer and Parson, with SCS
 SB 843-Lamping, with SCS & SS for SCS
 (pending)
 SB 865-Pearce, with SCS
 SB 903-Lamping
 SB 905-Mayer
 SB 906-Kraus, with SCS
 SB 909-Cunningham, et al
 SJR 25-Crowell
 SJR 29-Lamping, with SS & SA 1 (pending)
 SJR 30-Lamping
 SJR 39-Cunningham
 SJR 45-Nieves
 SJR 47-Rupp, with SCS
 SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1094, with SCS & SA 1
 (pending) (Munzlinger)
 HB 1104-Schoeller and Smith (150), with
 SCS (Engler)
 HCS for HB 1123 (Brown)
 HCS for HB 1140, with SCS (Cunningham)
 HCS for HB 1174, with SCS, SS for SCS,
 SA 1, SSA 1 for SA 1 & SA 2 to SSA 1
 for SA 1 (pending) (Pearce)
 HB 1192-Koenig, et al (Cunningham)
 HCS for HB 1193, with SCS, SS for SCS,
 SA 1, SSA 1 for SA 1 & SA 3 to SSA 1
 for SA 1 (pending) (Engler)
 HCS#2 for HB 1317, with SCS (Schaefer)
 SCS for HB 1331-Jones (117), et al (Kehoe)
 (In Fiscal Oversight)
 HCS for HB 1402, with SCS (Stouffer)
 HCS for HB 1623, with SCS, SS#2 for SCS &
 SA 12 (pending) (Schmitt)
 HCS for HB 1644 (Purgason)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 467-Munzlinger, with
HCS, as amended
SCS for SB 498-Munzlinger and Justus,
with HCS, as amended

SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as
amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3,
HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1,
HA 2, HA 3, as amended, HA 4, HA 5 &
HA 6
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)

HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS,
as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS,
as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SCS for SB 569-Kraus, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 736-Engler, with HA 1
(Senate requests House recede or
grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al
(Chappelle-Nadal)

HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al

To be Referred

SR 2075-Dempsey

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