

Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-THIRD DAY—FRIDAY, MAY 14, 1999

The Senate met pursuant to adjournment.

President Pro Tem Quick in the Chair.

The Reverend Carl R. Gauck offered the following prayer:

St. Paul wrote: "I have fought the good fight, I have finished the race. I have kept the Faith. (2 Timothy 4:7)

Lord God Almighty: We are thankful being able to see the finish line. We are thankful for Your help and guidance in being able to accomplish what we have done and ask Your blessing on our efforts and the work we have produced. We thank You for our leadership and our colleagues who have helped us reach this point as our endurance fades. And we are very grateful that You have been with us each day and we are able to say like Paul, we too "have fought the good fight and kept the faith." And Father I personally thank You for the opportunity to have served as Chaplain of this Senate with the spiritual responsibilities for these men and women and I pray that You have blessed my humble efforts among them. In Your Holy Name we give You Praise. 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 DePasco announced that photographers from the Senate, KOMU-TV, KRCG-TV and the Associated Press had been given permission to take pictures in the Senate Chamber today.

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

Present—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House

Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

Absent with leave—Senators—None

The Lieutenant Governor was present.

RESOLUTIONS

Senators Wiggins, Bentley, Bland, Quick and DePasco offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 913

WHEREAS, the members of the Missouri Senate have been deeply saddened to learn of the death of Reverend Thomas J. Savage, S.J. former president of Rockhurst College, Kansas City; and

WHEREAS, Father Savage, a native of Boston, Massachusetts, was President of Rockhurst College from 1988 to 1998; and

WHEREAS, Father Savage, had previously received a Bachelor's degree from Boston College, a Master's degree in City Regional Planning from the University of California - Berkeley, and a Ph.D. in Public Policy from Harvard University and served as Academic Vice President of Fairfield University in Fairfield, Connecticut; and

WHEREAS, Father Savage, as the eleventh President of Rockhurst College provided dynamic leadership for one of Missouri's most outstanding institutions of higher education and presided over a series of campus expansions substantially improving the ability of the college to meet its obligations to its students in meeting the significance of its mission in higher education; and

WHEREAS, Father Savage, at the same time became an outstanding community leader in Greater Kansas City, widely praised and respected by all, especially in the field of urban renewal and enhancement understanding between people of all faiths, creeds

and races, and became widely known as co-host with Rabbi Michael Zedic of the Sunday morning show on KCMO Radio "Religion on Line"; and

WHEREAS, our colleague the current Senator from the 10th District, Senator Harry Wiggins, himself a graduate of Rockhurst College, and Past President of the college Alumni Association, was an old friend of Father Savage who accepted the Senator's invitation to visit the Senate on several occasions, and is anxious to honor the memory of his old friend in the annals of the history of Missouri by this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, pause in their deliberations to salute the memory of a dynamic President of Rockhurst College and community leader Father Tom Savage, S.J., express their appreciation for his outstanding life and his contributions to higher education, to Kansas City and to Missouri, and extend to his family, Rockhurst College and his many friends, most sincere sympathy on his death; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for his mother, Mrs. Viola B. Savage; his brothers, Rev. James Savage and Robert Savage; his sisters, Evelyn Savage Ternollo, Claire Savage Keon and Marilyn Savage Herrick; Rockhurst College; and Rabbi Zedic.

Senator Steelman offered Senate Resolution No. 914, regarding Corin Gilbert, Fulton, which was adopted.

Senator DePasco offered Senate Resolution No. 915, regarding Charles E. Dumsky, Sugar Creek, which was adopted.

Senator DePasco offered Senate Resolution No. 916, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Augustine Morales, Kansas City, which was adopted.

Senator DePasco offered Senate Resolution No. 917, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Lopez, Kansas City, which was adopted.

Senator DePasco offered Senate Resolution No. 918, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jose Bernal, Kansas City, which was adopted.

Senator DePasco offered Senate Resolution No. 919, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. George Reutter, Kansas City, which was adopted.

Senator Stoll offered Senate Resolution No. 920, regarding Joshua Neal "Josh" Watkins, Pevely, which was adopted.

Senator Graves offered Senate Resolution No. 921, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Steve Kocipak, Excelsior Springs, which was adopted.

Senator Graves offered Senate Resolution No. 922, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Lavelle Rickabaugh, Maryville, which was adopted.

Senator Graves offered Senate Resolution No. 923, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Estil Hunt, Hale, which was adopted.

Senator Graves offered Senate Resolution No. 924, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Rex Jameson, King City, which was adopted.

Senator Graves offered Senate Resolution No. 925, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James E. Fulks, Trenton, which was adopted.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 267**, as amended: Senators Scott, Wiggins, Mathewson, Klarich and Yeckel.

REFERRALS

President Pro Tem Quick referred **HS** for **HCS** for **HB 180** to the Committee on State Budget Control.

Senator Johnson assumed the Chair.

PRIVILEGED MOTIONS

Senator Bentley, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 61**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 61

Mr. President: Your Conference Committee,

appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, with House Amendments Nos. 1, 2, 3, 4 and 5; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 61;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61 be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Roseann Bentley
- /s/ Morris Westfall
- /s/ Sidney Johnson
- /s/ Stephen Stoll
- /s/ Jim Mathewson

FOR THE HOUSE:

- /s/ Thomas Hoppe
- /s/ Henry Rizzo
- /s/ James M. Foley
- /s/ Gary Marble
- /s/ Judy Berkstresser

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

YEAS—Senators

Banks	Bentley	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Johnson
Kenney	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Rohrbach
Russell	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—30		

NAYS—Senator Howard—1

Absent—Senators

Bland	Jacob	Schneider—3
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Absent with leave—Senators—None

On motion of Senator Bentley, **CCS** for **HS** for **HCS** for **SCS** for **SB 61**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 61**

An Act to repeal sections 226.510, 226.520, 226.525 and 226.540, RSMo 1994, and section 226.550, RSMo Supp. 1998, relating to highway beautification, and to enact in lieu thereof seven new sections relating to the same subject.

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

YEAS—Senators

Bentley	Caskey	Childers	Clay
DePasco	Flotron	Goode	Graves
House	Howard	Jacob	Johnson
Kenney	Kinder	Klarich	Mathewson
Maxwell	Mueller	Quick	Russell
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senator Rohrbach—1

Absent—Senators

Banks	Bland	Ehlmann	Schneider—4
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **HCS** for **HBs 603, 722 and 783**, as amended: Representatives Wiggins, Ransdall, Kreider, Griesheimer and Miller.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 267**, as amended: Representatives Hoppe, Green, Overschmidt, Griesheimer and Dolan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SS** for **SCS** for **SBs 160 and 82**, as amended: Representatives Hoppe, Scheve, Hollingsworth, Lograsso and Ross.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HS** for **HCS** for **HB 793**, as amended: Representatives Treadway, O'Connor, O'Toole, Greisheimer and Akin.

PRIVILEGED MOTIONS

Senator Maxwell, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SBs 160 and 82**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 160 and 82

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Substitute for Senate

Committee Substitute for Senate Bills Nos. 160 & 82, with House Amendments Nos. 1, 2, 3, 4, 6, 7, 8 and 10; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendments Nos. 1, 2, 3, 4, 6, 7 and 10, to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 160 & 82;

2. That the Senate recede from its position on House Amendment No. 8 to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 160 & 82;

3. That the attached Conference Committee Amendment No. 1, be adopted; and

4. That House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 160 & 82, with House Amendment No. 8 and Conference Committee Amendment No. 1, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Joe Maxwell	/s/ Thomas Hoppe
/s/ Wayne Goode	/s/ Katherine Hollingsworth
/s/ John E. Scott	/s/ May Scheve
/s/ Doyle Childers	/s/ Don Lograsso
/s/ Morris Westfall	Carson Ross

CONFERENCE COMMITTEE AMENDMENT
NO. 1

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 160 and 82, Page 107, Section 72.403, Line 21, by inserting immediately after the word "act" the following: ", **except an annexation proposal by a village with a population under three thousand five hundred where the initial public hearing will occur prior to July 1, 1999, such proposal shall continue notwithstanding other provisions of law to the contrary**".

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

At the request of Senator Maxwell, the above motion was withdrawn.

Senator Schneider moved that the Senate refuse to concur in **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Scott, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SBs 308** and **314**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 308 and 314

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 308 & 314, with House Amendments Nos. 1, 2, 4 & 7; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 308 & 314, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 308 & 314; and

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 308 & 314 be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ John E. Scott	/s/ Jim O'Toole
/s/ Jim Mathewson	/s/ Bill Skaggs
/s/ Danny Staples	/s/ Mary Hagan-Harrell
/s/ Walt Mueller	/s/ Don Lograsso
/s/ Betty Sims	Bill Foster

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

Senator Steelman offered a substitute motion that the Senate refuse to adopt the conference committee report on **HS** for **HCS** for **SS** for **SCS** for **SBs 308** and **314**, as amended, and request the House grant further conference and that the Senate conferees be instructed to remove the legislative retirement benefits in Section 104.1084 and requested a roll call vote be taken. She was joined in her request by Senators Kenney, Russell, Schneider and Singleton.

The substitute motion offered by Senator Steelman failed of adoption by the following vote:

YEAS—Senators

Ehlmann	Flotron	Howard	Kenney
Kinder	Klarich	Rohrbach	Russell
Schneider	Singleton	Stelman	Westfall
Yeckel—13			

NAYS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Goode
Graves	House	Jacob	Johnson
Mathewson	Maxwell	Mueller	Quick
Scott	Sims	Staples	Stoll
Wiggins—21			

Absent—Senators—None

Absent with leave—Senators—None

Senator Mathewson assumed the Chair.

Senator Scott moved that the conference committee report on **HS** for **HCS** for **SS** for **SCS** for **SBs 308** and **314**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	House	Jacob	Johnson
Mathewson	Quick	Scott	Sims
Staples	Stoll	Westfall	Wiggins
Yeckel—21			

NAYS—Senators

Ehlmann	Graves	Howard	Kenney
Kinder	Klarich	Maxwell	Rohrbach

Russell Schneider Singleton Steelman—12

Absent—Senator Mueller—1

Absent with leave—Senators—None

On motion of Senator Scott, **CCS** for **HS** for **HCS** for **SCS** for **SBs 308** and **314**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 308 and 314

An Act to repeal sections 50.1030, 50.1060, 50.1070, 50.1120, 50.1150, 50.1160, 50.1170, 70.697, 86.254, 104.040, 104.344, 104.380 and 104.610, RSMo 1994, sections 50.1000, 50.1020, 50.1040, 50.1090, 50.1100, 50.1110, 50.1140, 50.1180, 86.251, 86.253, 86.256, 86.260, 86.280, 86.283, 86.287, 86.810, 87.371, 104.010, 104.395, 104.401, 104.410, 104.415, 104.420, 104.517, 104.612, 104.620, 104.800, 169.010, 169.060, 169.070, 169.075, 169.560, 169.655, 287.815 and 476.520, RSMo Supp. 1998, and both versions of section 169.670 as they appear in RSMo Supp. 1998, relating to certain retirement systems, and to enact in lieu thereof eighty-nine new sections relating to the same subject, with an emergency clause for certain sections and an effective date for certain sections.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	House	Howard	Jacob
Johnson	Mathewson	Quick	Schneider
Scott	Sims	Staples	Stoll
Westfall	Wiggins	Yeckel—23	

NAYS—Senators

Ehlmann	Graves	Kenney	Kinder
Klarich	Maxwell	Rohrbach	Russell
Singleton	Steelman—10		

Absent—Senator Mueller—1

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Quick
Russell	Schneider	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senator Rohrbach—1

Absent—Senators

Banks Mueller—2

Absent with leave—Senators—None

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

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

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

Senator Clay moved that **SCS** for **SBs 387, 206** and **131**, with **HS** for **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HS for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, was again taken up.

Senator Clay moved that **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, be adopted.

Senator Rohrbach offered a substitute motion that the Senate refuse to concur in **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, and request the House recede from its position, and failing to do so, grant the Senate a conference thereon, which motion failed on a standing division vote.

Senator Clay moved that **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, be adopted.

At the request of Senator Clay, the above motion was withdrawn.

Senator Clay moved that the Senate refuse to concur in **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

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 concurred in **SA 1** to **HB 261** and has again taken up and passed **HB 261**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 343**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 343**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SS** for **SCS** for **SBs 14, 60** and **69**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SS** for **SCS** for **SB 335**, as amended: Representatives Parker, Hosmer, Britt, Hanaway, Richardson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **SS** for **SCS** for **SB 19**, entitled:

An Act to repeal sections 137.130, 302.177, 302.735, 303.041, 303.042, 303.043, 303.190, 304.170, 304.235, 306.400, 306.405, 306.410,

306.415, 306.420, 307.353, 307.355, 307.360, 307.365, 307.390, 374.070, 643.315, 643.335, 643.350 and 643.355, RSMo 1994, and sections 32.080, 136.055, 301.025, 301.140, 301.142, 301.190, 302.060, 302.130, 302.171, 302.173, 302.181, 302.302, 302.309, 302.321, 302.341, 303.024, 303.025, 303.026, 304.155, 304.156, 304.157, 304.158, 307.350, 307.366, 307.375, 307.400, 374.205 and 643.310, RSMo Supp. 1998, relating to drivers and motor vehicles, and to enact in lieu thereof sixty-eight new sections relating to the same subject with penalty provisions, effective dates and expiration dates for certain sections, and an emergency clause for a certain section.

With House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, House Substitute Amendment No. 1 for House Amendment No. 8, House Amendments Nos. 9, 10, 11, 12, 13, 14, House Amendment No. 15, Part 1, House Amendments Nos. 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27.

HOUSE AMENDMENT NO. 1

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 114, Section 303.175, Lines 20 to 25, by striking all of said lines and inserting in lieu thereof the following:

"303.175. Every private passenger motor vehicle liability policy issued to meet the requirements of this chapter shall have a minimum term of three months. Each policy payment collected by the insurer shall be sufficient to pay for at least one month's coverage under the policy, except that this restriction shall not apply to payments on policies made by way of payroll deductions. This section shall not be construed to interfere with the cancellation and renewal provisions of sections 379.110 to 379.120, RSMo, nor shall it apply to any fleet, rental, group or commercial motor vehicle policy."; and

Further amend said bill, page 211, section 3.6, line 12, by adding after the word "a" on said line, the words "**negligent or**".

HOUSE AMENDMENT NO. 2

Amend House Substitute for Senate Substitute

for Senate Committee Substitute for Senate Bill No. 19, Page 61, Section 304.159, Line 19 of said page, by deleting the number "1."; and

Further amend said bill, Page 62, Section 304.159, Lines 6 to 13, by deleting all of said lines.

HOUSE AMENDMENT NO. 3

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 18, Section 301.190, Line 13, by inserting after all of said lines the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating

subdivision (1) or (2) of subsection 1 of this section is guilty of a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of **subdivisions (3) and (4) of subsection 1** of this section [shall be deemed] **is** a class C misdemeanor and the penalty for failure to wear protective headgear as required by subsection 2 of this section [shall be deemed] **is** an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear.

302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege has been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege has been suspended under the provisions of subdivision [(7)] **(8)** of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision [(9)] **(10)** of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, and is

otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision [(7)] (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision [(9)] (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege issued by the director of revenue for the limited purpose of driving between a residence and a place of employment, or to and from an alcohol education or treatment program, or for both between a residence and a place of employment and to and from such a program. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege has been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303, RSMo,

and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege has been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any

other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a hardship driving privilege granted by a court.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision [(7), (8) or (9)] **(8), (9) or (10)** of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, except the department may waive such requirement upon completion of a comparable program or upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations.

The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee of sixty dollars. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. The supplemental fees received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo."; and

Further amend said bill, Page 97, Section 302.302, Lines 14 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction.....2 points

(b) For the second conviction.....4 points

(c) For the third conviction.....6 points

(6) Operating [without a license after suspension or revocation and] with a suspended

or revoked license prior to restoration of operating privileges [which have been suspended or revoked].....12 points"; and

Further amend said bill, Page 97, Section 302.302, Line 17, by deleting the following: "(6)" and inserting in lieu thereof the following: "[(6) (7)"; and

Further amend said bill, Page 97, Section 302.302, Line 18, by deleting the following: "(7)" and inserting in lieu thereof the following: "[(7) (8)"; and

Further amend said bill, Page 97, Section 302.302, Line 21, by deleting the following: "(8)" and inserting in lieu thereof the following: "[(8) (9)"; and

Further amend said bill, Page 98, Section 302.302, Line 3, by deleting the following: "(9)" and inserting in lieu thereof the following: "[(9) (10)"; and

Further amend said bill, Page 98, Section 302.302, Line 8, by deleting the following: "(10)" and inserting in lieu thereof the following: "[(10) (11)"; and

Further amend said bill, Page 98, Section 302.302, Line 10, by deleting the following: "(11)" and inserting in lieu thereof the following: "[(11) (12)"; and

Further amend said bill, Page 98, Section 302.302, Line 12, by deleting the following: "(12)" and inserting in lieu thereof the following: "(13)"; and

Further amend said bill, Page 98, Section 302.302, Line 15, by inserting after "2." the following: "**The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.**

3."; and

Further amend said bill, Page 98, Section 302.302, Line 19, by deleting the following: "3." and inserting in lieu thereof the following: "[3.] 4."; and

Further amend said bill, Page 98, Section 302.302, Line 20, by deleting the following: "(7)" and inserting in lieu thereof the following: "[(7) (8)"; and

Further amend said bill, Page 99, Section 302.302, Line 1, by deleting the following: "(7), (8) and (9)" and inserting in lieu thereof the following: "[(7), (8) and (9)] (8), (9) and (10)"; and

Further amend said bill, Page 99, Section 302.302, Line 3, by deleting the following: "(7), (8) and (9)" and inserting in lieu thereof the following: "[(7), (8) and (9)] (8), (9) and (10)"; and

Further amend said bill, Page 99, Section 302.302, Line 5, by deleting the following: "4." and inserting in lieu thereof the following: "[4.] 5."; and

Further amend said bill, Page 99, Section 302.302, Line 18, by deleting the following: "2" and inserting in lieu thereof the following: "[2] 3"; and

Further amend said bill, Page 141, Section 302.171, Line 13, by inserting after the word "to" the following: "**driving without a license,**"; and

Further amend said bill, Page 208, Section 3, Line 15, by deleting the word "**may**" and inserting in lieu thereof the word "**shall**"; and

Further amend said bill, Page 217, Section 302.321, Line 9, by deleting the word "he" and inserting in lieu thereof the following: "[he] **such person**"; and

Further amend said bill, Page 217, Section 302.321, Line 9, by deleting the word "his" and inserting in lieu thereof the following: "[his] **such person's**"; and

Further amend said bill, Page 217, Section 302.321, Line 11, by deleting the word "under" and inserting in lieu thereof the following: "[under] **pursuant to**"; and

Further amend said bill, Page 217, Section 302.321, Line 12, by deleting the word "his" and inserting in lieu thereof the following: "[his] **such person's**"; and

Further amend said bill, Page 217, Section 302.321, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"2. [Driving while revoked is] **Any person**

convicted of driving while revoked is guilty of a class A misdemeanor. Any person with no prior alcohol-related enforcement contacts as defined in section 302.525, convicted a fourth or subsequent time of driving while revoked and any person with a prior alcohol-related enforcement contact as defined in section 302.525, convicted a third or subsequent time of driving while revoked is guilty of a class D felony. No court shall suspend the imposition of"; and

Further amend said bill, Page 217, Section 302.321, Line 18, by deleting the word "he" and inserting in lieu thereof the following: "[he] **such person**"; and

Further amend said bill, Page 217, Section 302.321, Line 22, by deleting the following: "under the supervision of" and inserting in lieu thereof the following: "[under the supervision of] **which is supervised by**"; and

Further amend said bill, Page 217, Section 302.321, Line 23, by deleting the word "**Driving**"; and

Further amend said bill, Page 217, Section 302.321, Line 24, by deleting all of said line; and

Further amend said bill, Page 218, Section 302.321, Lines 1 and 2, by deleting all of said lines; and

Further amend said bill, by amending the title and enacting clauses accordingly.

HOUSE AMENDMENT NO. 4

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 2, Section A, Line 5 of said page, by inserting after all of said line the following:

"82.485. 1. The treasurer of any city not within a county is hereby made and constituted supervisor of parking meters.

2. It shall be the duty of the supervisor of parking meters to install parking meters, collect all parking meter fees, supervise the expenditures for repairs and maintenance, establish and supervise a parking enforcement division and a parking meter division to enforce any statute or ordinances now or

hereafter established pertaining to the parking of motor vehicles, including automated zone parking and all other parking functions, and to make all disbursements on any parking contracts, including employment, consulting, legal services, capital improvement and purchase of equipment and real property which may hereafter be made by such cities, subject to audit in the manner provided by state statute.

3. The supervisor of parking meters shall establish and maintain a parking meter fund and any other funds therein which the supervisor of parking meters determines to be necessary, including debt service funds and capital improvement funds for purposes including, but not restricted to, the construction of off-street parking facilities **and supervising and directing the financing of such projects.** The supervisor of parking meters of such city may issue revenue bonds and pledge parking division and other revenues and assets, including real property and future income, for the purpose of capital improvements and debt service. The parking meter fund shall be the sole depository for all parking revenue derived from parking fees, fines, penalties, **administrative costs and booting** or any other revenues derived from the efforts of the employees of the supervisor of parking, including the parking meter division or parking violation enforcement division.

4. The supervisor of the parking meters shall each year submit for approval to the board of aldermen, having first been reviewed by the parking commission, an operating budget projecting revenues and expenses for the fiscal year beginning July 1, 1990, and for each fiscal year thereafter. The parking commission, which shall consist of the supervisor of parking meters as chairperson, the chairperson of the aldermanic traffic committee, the director of streets, the comptroller and the director of the parking meter operations, shall approve parking policy as necessary to control public parking, shall set rates and fees to ensure the successful operation of the parking division, and require a detailed accounting of parking division revenues from any agent or agency, public or private, involved in the collection of parking revenues. The supervisor of parking

meters shall draw upon the parking meter fund annually a portion of such fund according to the parking meter division's operating budget to pay any debt obligations, salaries, contracts, expenditures for repairs and maintenance, and make any capital improvements, and a portion of such fund shall at the end of each fiscal year then be transferred to the general fund of the city. The transfer to the general fund shall be no more than forty percent of the parking meter fund's net change in the fund's balance after all payments for capital improvements and debt service have been made.

82.487. 1. The parking commission of any city not within a county shall be the city's authority for overseeing public parking, including planning and coordinating policies, programs and operations for any parking facility or spaces owned in whole or part, leased or managed by the parking division. On behalf of the city, the parking commission shall approve:

(1) Guidelines governing the administrative adjudication, disposition and collection of any parking violations or complaints issued by the city;

(2) Budget modifications for the parking fund, also known as the "parking meter fund"; and

(3) The acquisition, development, regulation and operation of such parking facilities or spaces owned in whole or in part, leased or managed by the parking division.

2. The treasurer of any city not within a county shall be the parking supervisor, also known as the "supervisor of parking meters", for any parking facility or space owned in whole or part, leased or managed by the city parking division, and by virtue of his office, shall be subject to the oversight and authorized funding in whole or in part, by the parking commission:

(1) Establish joint public-private parking ventures;

(2) Supervise the acquisition, development and operation of parking **division properties or facilities owned by title** or funded in whole or in part, leased or managed by the parking division;

(3) Make and pay contracts and other obligations;

(4) Supervise any other on-street and off-street parking programs and assets;

(5) Shall provide the comptroller with monthly reports of all parking revenues collected by the city; and

(6) Make biannual installment payments of the annual general fund transfer subject to the parking commission's approval and provide the comptroller and treasurer with monthly reports of all parking revenues collected by the city.

3. Nothing in this section shall be construed as limiting or altering the powers and duties of the license collector of the city prescribed in section 82.340, and the exclusive authority to issue licenses and receipts for license taxes shall remain with and be exercised by the license collector.

4. Nothing in this section shall be construed as limiting or altering the powers and duties of the city's collector of revenue as provided in section 52.220, RSMo."; and

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

HOUSE AMENDMENT NO. 5

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 96, Section 9, Line 11 of said page, by inserting after all of said line the following:

"Section 10. 1. Any motor vehicle owner may receive special license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight as prescribed in this section after an annual payment of an emblem-use authorization fee to a professional sports team which has made an agreement pursuant to subsection 5 of this section. For the purposes of this section a "professional sports team" shall mean an organization located in this state franchised by the National Professional Soccer League, the National Football League, the National Basketball Association, the National Hockey League, the International Hockey League, or the American League or the National League of

Major League Baseball or a team playing in Major League Soccer.

2. The professional sports team which has made an agreement pursuant to subsection 5 of this section and which receives the emblem-use authorization fee hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any vehicle owner may annually apply for the use of the emblem. The director of revenue shall not authorize the manufacturer of the material to produce such license plates with the individual seal, logo, or emblem until the department of revenue receives a minimum of one hundred applications for each specific professional sports team.

3. Upon annual application and payment of a thirty-five dollar emblem-use contribution to the professional sports team such team shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the director of the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of other documents which may be required by law, the director shall issue a personalized license plate, which shall bear the official emblem of the professional sports team in a manner determined by the director. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. A fee for the issuance of personalized license plates issued pursuant to section 301.144, RSMo, shall not be required for plates issued pursuant to this section.

4. A vehicle owner, who was previously issued a plate with a professional sports team emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the professional sports team emblem, as

otherwise provided by law.

5. The director of the department of revenue is authorized to make agreements with professional sports teams on behalf of the state which allows the use of any such team's official emblem pursuant to the provisions of this section as consideration for receiving a thirty-five dollar emblem-use contribution.

6. A professional sports team receiving a thirty-five dollar contribution shall forward such contribution, less an amount not in excess of five percent of the contribution for the costs of administration, to the Jackson County Sports Authority or the St. Louis Regional Convention and Visitors Commission. The moneys shall be administered as follows:

(1) The sports authority may retain not in excess of five percent of all funds forwarded to it pursuant to this section for the costs of administration and shall expend the remaining balance of such funds, after consultation with a professional sports team within the authority's area, on marketing and promoting such team. The amount of money expended from the funds obtained pursuant to this section by the authority per professional sports team shall be in the same proportion to the total funds available to be expended on such team as the proportion of contributions forwarded by the team to the authority is to the total contributions received by the authority;

(2) The regional convention and visitors commission shall hold the revenues received from the professional sports teams in the St. Louis area in separate accounts for each team. Each team may submit an annual marketing plan to the commission. Expenses of a team which are in accordance with the marketing plan shall be reimbursed by the commission as long as moneys are available in the account. The commission may retain not in excess of five percent for the costs of administration. If no marketing plan is submitted by a team, the commission shall market and promote the team.

7. The director of the department of revenue shall promulgate rules and regulations

for the administration of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

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

HOUSE AMENDMENT NO. 6

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 173, Section 307.365, Line 4 of said page, by inserting after the word "patrol." the following: **"Brakes may be inspected for safety by means of visual inspection or computerized brake testing."**

HOUSE AMENDMENT NO. 7

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 218, Section I, Line 9 of said page, by inserting after all of said line the following:

"Section J. One new section is enacted, to be known as section 7, to read as follows:

Section 7. Notwithstanding any other provision of law to the contrary, from April 1, 2000, to April 1, 2001, any person required to obtain a motor vehicle emissions inspection shall have the option to obtain an emissions inspection pursuant to section 307.366, RSMo, which shall be valid for one year, or to obtain an emissions inspection pursuant to section 643.315, RSMo, which shall be valid for two years. The director of the department of revenue shall have the authority to promulgate any rules or regulations necessitated by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo.

Section K. Section J of this act shall become effective on April 1, 2000."

HOUSE SUBSTITUTE AMENDMENT NO. 1

FOR HOUSE AMENDMENT NO. 8

Amend House Substitute for Senate Substitute

for Senate Committee Substitute for Senate Bill No. 19, Page 96, Section 9, Line 7 of said page, by inserting after all of said line the following:

"Section 10. 1. Beginning September 1, 1999, for the purpose of providing additional support for the premise that .08 BAC laws help reduce alcohol-related fatalities, an advisory working group is hereby established. The working group is to review the fatal crash experience of all states that have lowered their BAC limits to 0.08 and to determine the impact of this legislation on alcohol-related fatalities. The advisory working group shall consist of the following:

(1) The director of the department of revenue or the director's designee;

(2) The director of the department of public safety or the director's designee;

(3) The director of the department of health or the director's designee;

(4) The superintendent of the state highway patrol or the superintendent's designee;

(5) The director of the Missouri safety council or the director's designee;

(6) The director of the Mothers Against Drunk Drivers or the director's designee;

(7) Two members of the Missouri senate appointed by the president pro tem of the senate with no more than one from any political party; and

(8) Two members of the Missouri house of representatives appointed by the speaker of the house with no more than one member from any political party.

2. The advisory working group shall submit a report of its findings to each member of the general assembly no later than March 1, 2000."; and

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

HOUSE AMENDMENT NO. 9

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill

No. 19, Page 96, Section 9, Line 11 of said page, by inserting after all of said line the following:

"700.010. As used in sections 700.010 to 700.500, for the purpose of sections 700.010 to 700.500, the following terms mean:

(1) "Authorized representative", any person, firm or corporation, or employee thereof, approved or hired by the commission to perform inspection services;

(2) "Code", the standards relating to manufactured homes, [recreational vehicles,] or modular units as adopted by the commission. The commission, in its discretion, may incorporate, in whole or in part, the standards codes promulgated by the American National Standards Institute, the United States Department of Housing and Urban Development or other recognized agencies or organizations;

(3) "Commission", the public service commission;

(4) "Dealer", any person, other than a manufacturer, who sells or offers for sale four or more manufactured homes, [recreational vehicles,] or modular units in any consecutive twelve-month period;

(5) "Manufactured home", a factory-built structure or structures which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, contains three hundred twenty or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner;

(6) "Manufacturer", any person who manufactures manufactured homes, [recreational vehicles,] or modular units, including persons who engage in importing manufactured homes, [recreational vehicles,] or modular units for resale;

(7) "Modular unit", a transportable building unit designed to be used by itself or to be incorporated with similar units at a point-of-use into a modular structure to be used for residential, commercial, educational or industrial purposes. This definition shall not apply to structures under six hundred fifty square feet used temporarily and exclusively for construction site office purposes;

(8) "New", being sold or offered for sale to the first purchaser for purposes other than resale;

(9) ["Park trailer", a modular type unit built on a single chassis mounted on wheels, designed primarily as temporary living quarters for seasonal or destination camping, and having a gross trailer area not exceeding four hundred square feet and not less than two hundred forty square feet in the setup mode;

(10)] "Person", an individual, partnership, corporation or other legal entity;

[(11)] (10) "Premises", a lot, plot, or parcel of land including the buildings, structures, and manufactured homes thereon;

(11) **"Recreational park trailer", a recreational park trailer as defined in the American National Standards Institute (ANSI) A119.5 Standard on Recreational Park Trailers. A recreational park trailer is not a recreational vehicle;**

(12) "Recreational vehicle", [a vehicular-type unit primarily designed to provide temporary living quarters for recreational, camping or travel, use that either has its own motive power, or is mounted on or towed by another vehicle] **a recreational vehicle as defined in the American National Standards Institute (ANSI) A119.2 Standard on Recreational Vehicles;**

(13) "Seal", a device, label or insignia issued by the public service commission, U.S. Department of Housing and Urban Development, or its agent, to be displayed on the exterior of the manufactured home, [recreational vehicle,] or modular unit to evidence compliance with the code;

(14) "Setup", the operations performed at the occupancy site which renders a manufactured home or modular unit fit for habitation, which operations

include, but are not limited to, moving, blocking, leveling, supporting, and assembling multiple or expandable units.

700.015. 1. No person shall rent, lease, sell or offer for sale any manufactured home manufactured after January 1, 1974, [or any new recreational vehicle within this state,] unless such manufactured home [or new recreational vehicle] complies with the code and bears the proper seal.

2. No person shall manufacture in this state any manufactured home, [recreational vehicle,] or modular unit for rent, lease or sale within the state which does not bear a seal evidencing compliance with the code.

3. Unless otherwise required by federal law or regulations, nothing in sections 700.010 to 700.115 shall apply to a manufactured home, [recreational vehicle,] or modular unit being built expressly for export and sold for use solely outside this state.

4. No person shall offer for rent, lease or sale a modular unit manufactured after January 1, 1974, unless such modular unit complies with the code and bears a seal issued by the commission evidencing compliance with the code.

5. No manufacturer shall sell or offer for sale within this state:

(1) Any new recreational vehicle that is not manufactured in compliance with the American National Standards Institute (ANSI) A119.2 Standard on Recreational Vehicles; or

(2) Any new recreational park trailer that is not manufactured in compliance with the American National Standards Institute (ANSI) A119.5 Standard on Recreational Park Trailers.

700.021. Seals may be issued by the commission when applied for with an affidavit certifying that the person applying will not attach a seal to any manufactured home, [recreational vehicle,] or modular unit that does not meet or exceed the code. Any registered dealer who has acquired a preowned manufactured home or modular unit without a seal may apply for a seal with an affidavit certifying that the preowned manufactured home or modular unit was brought up to or otherwise meets the requirements of the

code. No person may manufacture in this state any manufactured home or modular unit unless it bears a seal and certification certifying that the manufactured home or modular unit meets or exceeds the code. The certificate as to each manufactured home or modular unit shall be displayed in a manner to be prescribed by the commission.

700.025. No person shall alter or cause to be altered any manufactured home, [recreational vehicle,] or modular unit to which a seal has been affixed, if such alteration or conversion causes the manufactured home, [recreational vehicle,] or modular unit to be in violation of the code.

700.030. Upon showing by a registered manufacturer or dealer that another state provides for the sealing of manufactured homes, [recreational vehicles,] or modular units in compliance with standards which are at least equal to those provided in the code and upon determination by the commission that such standards are being adequately enforced, the commission shall provide that a seal affixed under the authority of such state shall have the same effect as a seal affixed under authority of this state. The commission may make any such approval contingent upon such other state granting reciprocal effect to seals affixed under authority of this state and shall maintain a list of such states which shall be available on request.

700.035. 1. If a manufactured home, [recreational vehicle] or modular unit carries a seal as provided in sections 700.010 to 700.115, no agency of this state, nor any municipality or other local governmental body shall require such manufactured home, [recreational vehicle,] or modular unit to comply with any other building, plumbing, heating or electrical code other than the code established by sections 700.010 to 700.115.

2. No agency of this state, nor any municipality or other local governmental body shall:

(1) Require a recreational vehicle or recreational park trailer to comply with any building, plumbing, heating or electrical code other than those established by the respective

American National Standard Institute (ANSI) A119.2 standard or A119.5 standard; or

(2) Institute any recreational vehicle or recreational park trailer inspection program to determine such vehicles' compliance with the applicable ANSI A119.2 or A119.5 standard.

700.040. 1. The commission shall, through its own inspection service or through a public or private inspection service acting as its authorized representative, perform sufficient inspections of manufacturing and dealer premises and manufactured homes, [recreational vehicles,] and modular units to ensure that the provisions of the code are being observed. The commission shall approve any designation of a public or private inspection service as an authorized representative. The commission shall establish a comprehensive inspection system, including a determination of the extent to which its own inspectors or authorized representatives are used. The inspections may include examination of all books, records, performance and technical data of a manufacturer related to the subject matter of sections 700.010 to 700.115.

2. The commission shall establish reasonable fees for seals or inspection, or both, which are sufficient to cover all costs incurred in the administration of sections 700.010 to 700.115. Fees for inspections made by private inspection services may be paid directly to the inspection service. The commission, upon issuing seals, registration certificates, and plan approvals, and conducting inspections provided for in sections 700.010 to 700.115, shall notify the director of revenue, who shall receive the fees and immediately deposit the same in the state treasury to the credit of a fund to be known as the "Manufactured Housing Fund". All salaries and expenses for the implementation of sections 700.010 to 700.115 shall be appropriated and paid from such fund.

3. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which

shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding year.

4. The commission may appoint such employees within its department as it may deem necessary for the administration of the provisions of sections 700.010 to 700.115.

5. The commission may issue and promulgate such rules and regulations as necessary to make effective the code and the provisions of sections 700.010 to 700.115. [No rule or portion of a rule promulgated under the authority of sections 700.010 to 700.115 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.] **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in sections 700.010 to 700.115 shall become effective only if they have been promulgated pursuant to the provisions of chapter 536, RSMo. All rulemaking authority delegated prior to the effective date of this section is of no force and effect; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to the effective date of this section if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.**

6. The commission may remove seals from any manufactured home, [recreational vehicle] or modular unit made by any manufacturer in violation of the provisions of section 700.045.

7. Notwithstanding any other provisions of sections 700.010 to 700.115, the commission shall have the authority to enter into any contract or agreement necessary to comply with the statutes and regulations enforced by and under the authority

of the United States Department of Housing and Urban Development relating to manufactured homes, [recreational vehicles] and modular housing.

8. The commission may require manufacturers and dealers to file reports with the Secretary of the United States Department of Housing and Urban Development as may be required under the provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401, et seq.).

700.045. It shall be a misdemeanor:

(1) For a manufacturer or dealer to manufacture, rent, lease, sell or offer to sell any manufactured home, [recreational vehicle] or modular unit after January 1, 1977, unless there is in effect a registration with the commission;

(2) To rent, lease, sell or offer to sell any manufactured home or modular unit manufactured after January 1, 1974, [or any new recreational vehicle] which does not bear a seal as required by sections 700.010 to 700.115;

(3) To affix a seal or cause a seal to be affixed to any manufactured home, [recreational vehicle,] or modular unit which does not comply with the code;

(4) To alter a manufactured home, [recreational vehicle,] or modular unit in a manner prohibited by the provisions of sections 700.010 to 700.115;

(5) To fail to correct a code violation in a manufactured home, [recreational vehicle,] or modular unit owned, manufactured or sold within a reasonable time not to exceed ninety days after being ordered to do so in writing by an authorized representative of the commission, if the same is manufactured after January 1, 1974; or

(6) To interfere with, obstruct, or hinder any authorized representative of the commission in the performance of his duties.

700.050. The issuance of seals to any manufacturer in violation of the provisions of sections 700.010 to 700.115 may be suspended by the commission and no further seals shall be issued to any such manufacturer except upon proof satisfactory to the commission that the conditions

which brought about the violation have been remedied. Seals remain the property of the state and may be removed by the commission from any manufactured home, [recreational vehicle,] or modular unit which is in violation of the code.

700.060. As used in sections 700.060 to 700.115, the term "manufactured home" shall also include units defined in section 700.010 if such units are in two or more separately towable components designed to be joined into one integral unit capable of being again separated into the components for repeated towing and includes two manufactured home units joined into a single residential or business unit which are kept on separate chassis for repeated towing. For the purposes of sections 700.060 to 700.115, a "manufactured home" shall not include a recreational vehicle **or a recreational park trailer.**

700.090. 1. Every manufacturer or dealer of manufactured homes who sells or offers for sale, on consignment or otherwise, a manufactured home, [recreational vehicle,] or modular unit from or in the state of Missouri shall register with the commission.

2. The commission shall issue a certificate of registration to a manufacturer who:

(1) Completes and files with the commission an application for registration which contains the following information:

(a) The name of the manufacturer;

(b) The address of the manufacturer and addresses of each factory owned or operated by the manufacturer, if different from the address of the manufacturer;

(c) If a corporation, the state of original incorporation, a list of the names and addresses of all officers and directors of the corporation, and proof of the filing of all franchise and sales tax forms required by Missouri law;

(d) If not a corporation, the name and address of the managing person or persons responsible for overall operation of the manufacturer;

(2) Files with the commission an initial registration fee of two hundred fifty dollars in the form of a cashier's check or money order made

payable to the state of Missouri.

3. The commission shall issue a certificate of registration to a dealer who:

(1) Completes and files with the commission an application for registration which contains the following information:

(a) The name of the dealer;

(b) The business address of the dealer and addresses of each separate facility owned and operated by the dealer from which manufactured homes, [recreational vehicles,] or modular units are offered for sale if different from the business address of the dealer;

(c) If a corporation, the state of original incorporation, a list of the names and addresses of all officers and directors of the corporation, proof of the filing of all franchise and sales tax forms required by Missouri law;

(d) If not a corporation, the name and address of the managing person or persons responsible for the overall operations of the manufacturer;

(2) Files with the commission an initial registration fee of fifty dollars in the form of a cashier's check or money order made payable to the state of Missouri;

(3) Files with the commission proof of compliance with the provisions of section 301.250, RSMo, and section 301.280, RSMo.

4. The registration of any manufacturer or dealer shall be effective for a period of one year and shall be renewed by the commission upon receipt by it from the registered dealer of a renewal fee of two hundred fifty dollars for manufacturers and fifty dollars for dealers and a form provided by the commission upon which shall be placed any changes from the information requested on the initial registration form.

5. The commission may stagger the renewal of certificates of registration to provide for more equal distribution over the twelve months of the number of registration renewals.

700.100. 1. The commission may refuse to register or refuse to renew the registration of any person who fails to comply with the provisions of

section 700.090 or this section. Notification of unfavorable action by the commission on any application for registration or renewal of registration must be delivered to the applicant within thirty days from date it is received by the commission. Notification of unfavorable action by the commission on any application for registration or renewal of registration must be accompanied by a notice informing the recipient that the decision of the commission may be appealed as provided in chapter 386, RSMo.

2. The commission may consider a complaint filed with it charging a registered manufacturer or dealer with a violation of the provisions of this section, which charges, if proven, shall constitute grounds for revocation or suspension of his registration, or the placing of the registered manufacturer or dealer on probation.

3. The following specifications shall constitute grounds for the suspension, revocation or placing on probation of a manufacturer's or dealer's registration:

(1) If required, failure to comply with the provisions of section 301.250, RSMo, or section 301.280, RSMo;

(2) Failing to be in compliance with the provisions of section 700.090;

(3) If a corporation, failing to file all franchise or sales tax forms required by Missouri law;

(4) Engaging in any conduct which constitutes a violation of the provisions of section 407.020, RSMo;

(5) Failing to comply with the provisions of sections 2301-2312 of Title 15 of the United States Code (Magnuson-Moss Warranty Act);

(6) As a dealer, failing to arrange for the proper initial setup of any new or used manufactured home or modular unit sold from or in the state of Missouri, unless the dealer receives a written waiver of that service from the purchaser or his authorized agent and an amount equal to the actual cost of the setup is deducted from the total cost of the manufactured home or modular unit;

(7) Requiring any person to purchase any type of insurance from that manufacturer or dealer as a

condition to his being sold any manufactured home, [recreational vehicle,] or modular unit;

(8) Requiring any person to arrange financing or utilize the services of any particular financing service as a condition to his being sold any manufactured home, [recreational vehicle,] or modular unit; provided, however, the registered manufacturer or dealer may reserve the right to establish reasonable conditions for the approval of any financing source;

(9) Engaging in conduct in violation of section 700.045;

(10) Failing to comply with the provisions of section 301.210, RSMo."; and

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

HOUSE AMENDMENT NO. 10

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 97, Section 302.302, Line 11 of said page, by inserting after the word "driving" the following: **"In violation of subsection 2 of section 304.012, RSMo.....6 points"**; and

Further amend said bill, Page 115, Section 303.179, Line 7 of said page, by inserting after all of said line the following:

"304.012. 1. Every person operating a motor vehicle on the roads and highways of this state shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor, unless an accident is involved **or there are aggravating circumstances** then it shall be a class A misdemeanor. **For the purposes of this section, the term "aggravating circumstances" shall be defined as circumstances in which any person suffers death or serious physical injury, as defined in section 565.002, RSMo, as a result of the violation of this section.**

577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of the person's blood pursuant to the following circumstances:

(1) If the person is arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(2) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(3) If the person is under the age of twenty-one, has been stopped by a law enforcement officer, and the law enforcement officer has reasonable grounds to believe that such person has committed a violation of the traffic laws of the state, or any political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that such person has a blood alcohol content of two-hundredths of one percent or greater; [or]

(4) If the person is under the age of twenty-one, has been stopped at a sobriety checkpoint or roadblock and the law enforcement officer has reasonable grounds to believe that such person has a blood alcohol content of two-hundredths of one percent or greater[.]; **or**

(5) If the person, while operating a motor vehicle, has been involved in a motor vehicle collision which resulted in a fatality or a readily apparent serious physical injury as defined in section 565.002, RSMo, and has been arrested as evidenced by the issuance of a Uniform Traffic Ticket for the violation of any state law or county or municipal ordinance with the exception of equipment violations contained in chapter 306, RSMo, or similar provisions

contained in county or municipal ordinances.

The test shall be administered at the direction of the law enforcement officer whenever the person has been arrested or stopped for any reason.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid pursuant to the provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to [him] **such person**.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section or a field sobriety test may be videotaped during any such test at the direction of the law enforcement officer. Any such video recording made during the chemical test pursuant to this

subsection or a field sobriety test shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo."; and

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

HOUSE AMENDMENT NO. 11

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Section 304.157, Page 52, Line 11, by adding after the period on said line, the following: **"If the abandoned property impairs or impedes normal commerce, it may be removed immediately."**

HOUSE AMENDMENT NO. 12

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 96, Section 9, Line 11 of said page, by inserting after all of said line the following:

"Section 10. 1. Any person may receive license plates as prescribed in this section, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, RSMo, or for a local or nonlocal property-carrying commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058, RSMo, after an annual payment of an emblem-use authorization fee to Ducks Unlimited. Ducks Unlimited hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to Ducks Unlimited derived from this section, except reasonable administrative costs, shall be used solely for the purposes of Ducks Unlimited. Any member of Ducks Unlimited may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five-dollar emblem-use contribution to Ducks Unlimited, Ducks Unlimited shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the

department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen-dollar fee in addition to the registration fees and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of Ducks Unlimited. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

3. A vehicle owner, who was previously issued a plate with the Ducks Unlimited emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Ducks Unlimited emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

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

HOUSE AMENDMENT NO. 13

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 179, Section 307.366, Line 8 of said page, by inserting after the word "**transferred**" the words "**by a licensed new motor vehicle franchise dealer, as defined in section 301.550, RSMo,**"; and

Further amend said bill, Page 199, Section 643.315, Line 5, by deleting the word "and" and inserting in lieu thereof the word "[and]"; and

Further amend said bill, Page 199, Section 643.315, Line 12, by inserting after the word "user" the following:

"; and

(7) Any motor vehicle sold or transferred, by a licensed new motor vehicle franchise dealer, as defined in section 301.550, RSMo, that at the time of such sale or transfer has an unexpired official form, sticker or other device to evidence that such motor vehicle's emissions control system was inspected and approved; provided that, for any motor vehicle exempted pursuant to this subdivision, the purchaser may return the motor vehicle if the motor vehicle fails, upon the next required inspection, to meet the emissions standards specified by the commission and the seller shall have the motor vehicle inspected and approved without the option for a waiver of the emissions standards and return the vehicle to the purchaser with a valid emissions certificate and sticker within five workings days, and provided that, the seller of any vehicle exempted pursuant to this subdivision shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the motor vehicle if the motor vehicle fails, upon the next required inspection, to meet the emissions standards specified by the commission and to have the seller repair the vehicle and provide an emissions certificate and sticker within five working days or to enter into any mutually acceptable agreement with the seller"; and

Further amend said bill, Page 201, Section 643.315, Line 5, by inserting after the word "trade" a closing bracket "]""; and

Further amend said bill, Page 201, Section 643.315, Line 6, by deleting the closing bracket "]" after the word "agreement" .

HOUSE AMENDMENT NO. 14

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 150, Line 20 of said page, by deleting the words "Each intermediate" and by deleting all of lines 21 through 23 of said page.

PART 1 OF

HOUSE AMENDMENT NO.15

Amend House Substitute for Senate Substitute

for Senate Committee Substitute for Senate Bill No. 19, Page 152, Section 302.178, Line 8, by inserting immediately after the word "requirements" the following:

", or has successfully completed a driver training program taught by an instructor certified by the state department of education".

HOUSE AMENDMENT NO. 16

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 4, Section 301.142, Line 5, by deleting the word "Such" and inserting in lieu thereof the following: "[Such"; and

Further amend said bill, Page 4, Section 301.142, Line 6, by deleting the word "of" and inserting in lieu thereof the following: "of] **No person may use**"; and

Further amend said bill, Page 4, Section 301.142, Line 8, by deleting the phrase "by a person" and inserting in lieu thereof the following: "[by a] **if the person is**"; and

Further amend said bill, Page 4, Section 301.142, Line 9, by deleting the word "shall" and inserting in lieu thereof the following: "[shall"; and

Further amend said bill, Page 4, Section 301.142, Line 10, by deleting the following: "infraction." and inserting in lieu thereof the following: "infraction]. **Any violation of this subsection is an infraction, and**"; and

Further amend said bill, Page 8, Section 301.142, Line 9, by inserting after the following: "chiropractors," the following: "**or the board of optometry established in section 336.130, RSMo, with respect to physician's statements signed by licensed optometrists,**"; and

Further amend said bill, Page 9, Section 301.142, Line 16, by inserting after the following: "osteopath," the following: "**optometrist**"; and

Further amend said bill, Page 10, Section 301.142, Line 16, by inserting after all of said line the following:

"12. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a

class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."

HOUSE AMENDMENT NO. 17

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 25, Section 302.341, Line 23, by placing an opening bracket after the word "state" and a closing bracket after the word "thousand"; and

Further amend said section, page 27, line 18, by placing after the period the following: "**For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number."**

HOUSE AMENDMENT NO. 18

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 54, Subsection 6, Line 23, by placing a period after the word "copy" and deleting the rest of said line, and that portion of the sentence of line 1, on page 55.

HOUSE AMENDMENT NO. 19

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 96, Section 9, Line 11, by inserting after said line the following:

"Section 10. 1. The highway patrol and any local law enforcement agency may collect, correlate and maintain the following information regarding traffic law enforcement:

(1) The number of drivers stopped for routine traffic enforcement and whether or not a citation or warning was issued;

(2) Identifying characteristics of the drivers stopped, including race, ethnicity, age and

gender;

(3) The alleged violation that led to the stop;

(4) Whether a search was instituted as a result of the stop;

(5) Whether the vehicle, personal effects, driver or passengers were searched, and the race, ethnicity, age and gender of any person searched;

(6) Whether the search was conducted pursuant to consent, probable cause or reasonable suspicion to suspect a crime, including the basis for the request for consent, or the circumstances establishing probable cause or reasonable suspicion;

(7) Whether any contraband was found and the type and amount of any contraband;

(8) Whether an arrest was made;

(9) Whether any property was seized and a description of such property;

(10) Whether the officers making the stop encountered any physical resistance from the driver or passengers;

(11) Whether the officers making the stop engaged in the use of force against the driver or any passengers;

(12) Whether any injuries resulted from the stop; and

(13) Whether the circumstances surrounding the stop were the subject of any investigation, and the results of such investigation.

2. The information to be collected pursuant to subsection 1 of this section need not be collected in connection with roadblocks, vehicle checks or checkpoints, except when such stops result in a warning, search, seizure or arrest.

3. The highway patrol shall conduct analyses of the information collected pursuant to this section to determine whether law enforcement officers are using profiles in law enforcement activities."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO.20

Amend House Substitute for Senate Substitute

for Senate Bill No. 19, Section 301.142, Page 10, by inserting after said section:

"301.147. 1. The director of the department of revenue shall, upon the request of any person who is issued special license plates or a removable windshield placard pursuant to section 301.142 and who uses a wheelchair or transports a person who uses a wheelchair, allow the person to obtain a parking cone bearing the international symbol of accessibility and the words "wheelchair parking". Parking cones obtained pursuant to this section shall be predominantly orange, fluorescent red-orange, or fluorescent yellow-orange, not less than eighteen inches in height and shall be made of a material that can be struck without damaging vehicles on impact. Parking cones shall be purchased by any person wishing to use such cone.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 21

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 18, Section 301.190, Line 13 of said page, by inserting after all of said line the following:

"301.467. 1. Any paramedic or emergency medical technician may, after an annual payment of an emblem-use authorization fee to the Missouri Emergency Medical Services Association as provided in subsection 2 of this section, apply for emergency medical services license plates for any motor vehicle such person owns, either solely or jointly, for issuance either for a passenger motor vehicle subject to the registration fees as provided in section 301.055, or for a local or nonlocal property-carrying

commercial motor vehicle licensed for a gross weight not in excess of twelve thousand pounds as provided in section 301.057 or 301.058. The Missouri Emergency Medical Services Association hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the Missouri Emergency Medical Services Association, the Missouri Emergency Medical Services Association shall issue to the person, without further charge, an emblem-use authorization statement which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the Missouri Emergency Medical Services Association and the words "PARAMEDIC" or the words "EMERGENCY MEDICAL TECHNICIAN" in place of the words "SHOW-ME-STATE" to the person. The emblem, seal or logo shall be reproduced on the license plate in as a clear and defined manner as possible. If the emblem, seal or logo is unacceptable to the Missouri Emergency Medical Services Association, it shall be the Missouri Emergency Medical Services Associations responsibility to furnish the artwork in a digitalized format. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

3. The director shall issue no more than one set of such license plates to a qualified applicant. License plates issued pursuant to the provisions of this section shall not be transferable to any other person, except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for

the duration of the year licensed in the event of the death of the qualified person."

HOUSE AMENDMENT NO. 22

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 96, Section 9, Line 11 of said page, by inserting after all of said line the following:

"Section 10. In any action seeking an award of damages for personal injuries or property damage, no award of damages on any such claim shall be made to a claimant who, at the time of the claimant's injuries:

(1) Was operating a motor vehicle in an intoxicated condition as defined in section 577.001, RSMo; and

(2) Was more than fifty percent responsible for the injuries sustained by such claimant."; and

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

HOUSE AMENDMENT NO. 23

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 207, Section 643.355, Line 16, by inserting immediately after said line the following: "Allows State of Missouri to build a direct route consisting of two westbound lanes and two eastbound lanes uninterrupted from interstate I-55 in Jefferson County located on or about A Highway going through Jefferson, Franklin, Gasconade, Osage and Cole County to the city limits of Jefferson City. Funding for this route will be recaptured through toll charges."

HOUSE AMENDMENT NO. 24

Amend House Substitute for Senate Substitute for Senate Bill No. 19, Page 1, In the Title, Line 8 of said page, by inserting after the number "301.190," the number "301.191,"; and

Further amend said bill, Page 1, In the Title, Line 14 of said page, by deleting the word "fifty-six" and inserting in lieu thereof the word "fifty-seven"; and

Further amend said bill, Page 1, Section A, Line 23 of said page, by inserting after the number

"301.190," the number "301.191,"; and

Further amend said bill, Page 2, Section A, Line 1 of said page, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 2, Section A, Line 2 of said page, by inserting after the number "301.190," the number "301.191,"; and

Further amend said bill, Page 10, Section 301.190, Line 1 of said page, by inserting after all of said line the following:

"301.191. 1. When an application is made for an original Missouri certificate of ownership for a previously untitled trailer sixteen feet or more in length which is stated to be homemade, the applicant shall present a certificate of inspection as provided in this section. No certificate of ownership shall be issued for such a homemade trailer if no certificate of inspection is presented.

2. As used in this section, "homemade" means made by a person who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a statement of origin.

3. Every person constructing a homemade trailer sixteen feet or more in length shall obtain an inspection from the sheriff of his or her county of residence **or from the Missouri state highway patrol** prior to applying for a certificate of ownership. If the person constructing the trailer sells or transfers the trailer prior to applying for a certificate of ownership, the sheriff's **or the Missouri state highway patrol's** certificate of inspection shall be transferred with the trailer.

4. A fee of ten dollars shall be paid for the inspection. **If the inspection is completed by the sheriff**, the proceeds from the inspections shall be deposited by the sheriff within thirty days into the county law enforcement fund if one exists; otherwise into the county general revenue fund. **If the inspection is completed by the Missouri state highway patrol, the applicant shall pay the ten dollar inspection fee to the director of revenue at the time of application for a certificate of ownership for the homemade trailer. The fee shall be deposited in the state treasury to the credit of the state highway fund.**

5. The sheriff **or Missouri state highway patrol** shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff **or Missouri state highway patrol** may request the owner to provide any documents or other evidence showing that the trailer was homemade. When a trailer is certified **by the sheriff**, the sheriff [shall] **may** stamp a permanent identifying number in **the tongue of the frame** [in a manner designated by the director of revenue]. The certificate of inspection shall be on a form designed and provided by the director of revenue.

6. **Upon presentation of the certificate of inspection and all applicable documents and fees including the identification plate fee provided in section 301.380, the director of revenue shall issue a readily distinguishable manufacturers' identifying number plate. The identification number plate shall be affixed to the tongue of the trailer's frame.**

7. The sheriff **or Missouri state highway patrol** may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff **or Missouri state highway patrol** may hold the trailer as evidence while an investigation is conducted. The trailer shall be returned if no related criminal charges are filed within thirty days or when the charges are later dropped or dismissed or when the owner is acquitted."

HOUSE AMENDMENT NO. 25

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 200, Section 643.315, Line 13 of said page, by deleting the word "fourteen" and inserting in lieu thereof the phrase "[fourteen] **ten**"; and

Further amend said bill, Page 201, Section 643.315, Line 10 of said page, by deleting the word "fourteen" and inserting in lieu thereof the phrase "[fourteen] **ten**".

HOUSE AMENDMENT NO. 26

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 121, Section 137.130, Line 10 of said page, by inserting after said line the following:

"137.131. In the event that an assessor incorrectly or inaccurately assesses real or personal property of a taxpayer, the assessor or the proper taxing authority shall refund to the affected taxpayer any taxes which were found to be incorrectly or inaccurately levied together with interest at a rate as determined in section 32.065, RSMo."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 27

Amend House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, Page 216, Section 5, Line 23, by inserting immediately after the period "." the following:

"The department of revenue shall assess a fine not greater than one thousand dollars per day against the designated agent for failure to complete the project by the dates designated in sections 1 to 6 of this act."

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 676**, as amended, and requests the Senate to recede from its position and failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SS** for **SBs 1, 92, 111, 129 and 222**, as amended, and grants the Senate a conference thereon, and the conferees are bound to retain House Substitute Amendment No. 1 for House Amendment No. 7.

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 **SS** for **SB 289**,

entitled:

An Act to repeal sections 162.857 and 162.867, RSMo Supp. 1998, relating to career and vocational education, and to enact in lieu thereof two new sections relating to the same subject.

With House Amendments Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 289, Page 1, Section A, Line 2, by inserting after all of said line the following:

"160.534. [For fiscal year 1996 and each subsequent fiscal year,] **1. Except as provided in subsection 2 of this section**, any amount of the excursion gambling boat proceeds deposited in the gaming proceeds for education fund in excess of the amount transferred to the school district bond fund as provided in section 164.303, RSMo, shall be transferred to the state school moneys fund. Such moneys shall be transferred on a monthly basis and shall be distributed in the manner provided in section 163.031, RSMo.

2. The moneys transferred pursuant to this section shall be transferred on a monthly basis as follows:

(1) For fiscal year 2001, twenty percent to the year 2000 classroom fund and eighty percent to the state school moneys fund;

(2) For fiscal year 2002, forty percent to the year 2000 classroom fund and sixty percent to the state school moneys fund;

(3) For fiscal year 2003, sixty percent to the year 2000 classroom fund and forty percent to the state school moneys fund;

(4) For fiscal year 2004, eighty percent to the year 2000 classroom fund and twenty percent to the state school moneys fund; and

(5) For fiscal year 2005, one hundred percent to the year 2000 classroom fund.

3. The amount transferred annually pursuant to each subdivision of subsection 2 of this section to the year 2000 classroom fund shall be replaced in the state school moneys fund from general revenue.

4. The provisions of subsection 3 of this section shall not be interpreted to reduce the amount of funding to be appropriated for the foundation formula pursuant to section 163.031, RSMo."; and

Further amend said bill, Page 4, Section 162.867, Line 72, by inserting after all of said line the following:

"164.303. There is hereby established in the state treasury the "School District Bond Fund". Such amounts as may be necessary to fund the annual requests submitted by the health and educational facilities authority to fund the payment of costs and grants as provided in subsection 7 of section 360.106 and sections 360.111 to 360.118, RSMo, and necessary costs for administration of those provisions, but not to exceed seven million dollars per year, shall be transferred by appropriation to the fund from the gaming proceeds for education fund before any amounts in the gaming proceeds for education fund are transferred [to the state school moneys fund,] as provided in section 160.534, RSMo. Moneys deposited in the school district bond fund shall be used by the health and educational facilities authority, subject to appropriation, to fund the payment of costs and grants as provided in subsection 7 of section 360.106 and sections 360.111 to 360.118, RSMo, and necessary costs for administration of those provisions. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of each biennium.

Section 1. 1. For fiscal year 2000 and each subsequent fiscal year, the "Year 2000 Classroom Fund", which is hereby created in the state treasury, shall be distributed to each school district on a per eligible pupil basis and shall not be subject to deduction as local wealth pursuant to section 163.031, RSMo. The moneys distributed pursuant to this section shall be exempt from salary compliance pursuant to section 165.016, RSMo. The moneys may be used by the district for:

(1) School construction, renovation or leasing;

(2) Teacher recruitment, retention, salaries or professional development;

(3) Technology enhancements or textbooks or instructional materials; or

(4) Career and vocational education.

2. Funds distributed pursuant to this section shall be placed in the incidental fund of the school district. The school district may transfer such funds from the incidental fund to any other school district fund without restriction."

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 289, Page 4, Section 162.867, Line 73, by inserting after subsection "6.", the following:

"7. Any metropolitan school district who has individuals who work in said district which are employed by the state of Missouri who participate in a vocational education program as provided in said section and which has at least a five percent shortage of certified teachers may apply to the department of elementary and secondary education for waivers to allow retired teachers to teach in said metropolitan school district for up to two year without losing his or her retirement benefits. Said retired teacher need not be in the teachers salary scale. Said metropolitan school district shall place an emphasis on hiring retired teachers to teach in areas that include but are not limited to, improving student reading, math, science and special education.

(1) The department of elementary and secondary education shall adopt rules to implement the provisions of said subsection 7.

(2) No rule or portion of a rule promulgated pursuant to the authority of subsection 7 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for

Senate Substitute for Senate Bill No. 289, Page 4, Section 162.867, Line 72, by adding after all of said line the following:

"Section 1. Notwithstanding the provisions of chapter 163, RSMo, to the contrary, for the purposes of determining state aid, a nonresident student enrolled pursuant to a contract entered into pursuant to Subsection 2 of Section 167.164, to provide alternative education may be counted, at the election of the serving school district, as a resident pupil."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SS** for **SCS** for **SBs 14, 60 and 69**, as amended: Representatives Scheve, Bray, Selby, McClelland and Patek.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SBs 14, 60 and 69**, as amended: Senators Mathewson, Maxwell, Goode, Bentley and Steelman.

On motion of Senator DePasco, the Senate recessed until 12:45 p.m.

RECESS

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

PRIVILEGED MOTIONS

Senator Stoll moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 676**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 676**, as amended: Senators Stoll, Maxwell, House, Russell and Flotron.

PRIVILEGED MOTIONS

Senator Goode moved that the Senate refuse to concur in **HS** for **SS** for **SCS** for **SB 19**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Goode moved that the Senate refuse to concur in **HCS** for **SS** for **SB 289**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Caskey, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 343**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 343

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Committee Substitute for House Bill No. 343, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 343, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 343;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: FOR THE HOUSE:
 /s/ Harold Caskey /s/ Joseph L. Treadway
 /s/ John E. Scott /s/ James M. Foley
 /s/ Ronnie DePasco /s/ Patrick J. O'Connor
 /s/ Morris Westfall /s/ Daniel J. Hegeman
 /s/ Roseann Bentley Jon Dolan

President Wilson assumed the Chair.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Goode
Graves	House	Howard	Jacob
Kinder	Mathewson	Maxwell	Mueller
Quick	Russell	Schneider	Scott
Staples	Steelman	Stoll	Westfall

Wiggins—25

NAYS—Senators

Ehlmann	Flotron	Johnson	Kenney
Klarich	Rohrbach	Sims	Singleton

Yeckel—9

Absent—Senators—None

Absent with leave—Senators—None

On motion of Senator Caskey, **CCS** for **SCS** for **HCS** for **HB 343**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
 FOR SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 343

An Act to repeal sections 193.265, 209.319, 214.310, 214.330, 256.459, 289.005, 289.010, 289.011, 289.020, 289.030, 289.040, 289.050, 289.060, 289.070, 289.100, 289.110, 289.120, 289.130, 320.106, 320.116, 320.126, 320.131, 320.136, 320.141, 320.146, 326.160, 327.011, 327.051, 327.075, 327.091, 327.111, 327.131, 327.141, 327.151, 327.161, 327.171, 327.181, 327.191, 327.201, 327.221, 327.231, 327.241, 327.251, 327.261, 327.272, 327.281, 327.291, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.361, 327.371, 327.381,

327.391, 327.411, 327.421, 327.441, 327.451, 327.461, 327.605, 328.030, 331.050, 331.090, 332.021, 332.321, 333.151, 334.120, 335.021, 335.051, 335.061, 335.071, 336.130, 337.535, 338.110 and 340.202, RSMo 1994, sections 190.142, 301.142, 320.111, 320.151, 324.050, 324.056, 324.063, 324.071, 324.086, 324.128, 324.136, 324.203, 324.205, 324.210, 324.212, 324.215, 324.217, 324.220, 324.228, 324.240, 324.243, 324.245, 324.247, 324.250, 324.257, 324.260, 324.262, 324.265, 324.267, 324.406, 324.409, 324.412, 324.424, 324.427, 324.430, 324.439, 324.475, 324.478, 324.481, 324.484, 324.487, 324.490, 324.493, 324.496, 324.520, 324.522, 327.031, 327.041, 327.101, 327.401, 329.190, 330.110, 334.625, 334.655, 334.660, 334.749, 334.800, 334.850, 334.880, 334.890, 334.900, 334.910, 334.920, 335.016, 335.046, 335.066, 335.081, 337.050, 337.622, 337.739, 338.060, 338.065, 338.100, 338.220, 339.120, 339.507, 345.080, 354.618, 431.180 and 620.010, RSMo Supp. 1998, and both versions of section 335.036 as they appear in RSMo Supp. 1998, relating to professional licensing, and to enact in lieu thereof one hundred sixty-nine new sections relating to the same subject, with penalty provisions, an expiration date for certain sections and an emergency clause for a certain section.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Quick
Russell	Schneider	Scott	Sims
Staples	Steelman	Stoll	Westfall

Wiggins—29

NAYS—Senators

Rohrbach	Singleton	Yeckel—3
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Absent—Senators

Flotron	Mueller—2
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Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Goode	Graves	House	Howard
Jacob	Johnson	Kinder	Mathewson
Maxwell	Mueller	Quick	Russell
Schneider	Scott	Sims	Staples
Westfall	Wiggins—26		

NAYS—Senators

Kenney	Klarich	Rohrbach	Singleton
Steelman	Yeckel—6		

Absent—Senators

Flotron	Stoll—2
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Absent with leave—Senators—None

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

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

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

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, as amended: Senators Schneider, Wiggins, DePasco, Sims and Bentley.

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 adopted the Conference Committee Report on **SS** for **SCS** for **HS** for **HB 516**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HS** for **HB 516**, as amended by **HPA 1**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended: Representatives Gunn, Hollingsworth, Monaco, Purgason and Gross.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **SB 371**, entitled:

An Act to repeal sections 57.010, 306.100, 306.124, 306.165, 513.653, 590.100, 590.110, 590.116, 590.117, 590.130, 590.131, 590.150, 590.170, 590.175, 590.178 and 590.180, RSMo 1994, and sections 306.010, 306.016, 590.105, 590.115, 590.135 and 590.140, RSMo Supp. 1998, relating to law enforcement agencies, and to enact in lieu thereof twenty-two new sections relating to the same subject, with penalty provisions and an expiration date for certain sections.

With House Amendments Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Substitute for Senate Bill No. 371, Page 4, Section 57.010, by inserting after the end of all of said section:

"84.140. **1.** The boards shall grant every member of the police force hired prior to May 1, 1986, a total of three weeks vacation each year with pay, and each member of the police force who has served the department for twelve years or more shall receive four weeks vacation each year with pay, and each member of the police force who has served the department for twenty-one years or more shall receive five weeks vacation each year with pay; however, the boards shall grant every member of the police force hired on or after May 1, 1986, a total of two weeks vacation each year with pay, and each such member of the police force who has served the department for five years or more shall receive three weeks vacation each year with pay, and each such member of the police force who has served the department for twelve years or more shall receive four weeks vacation each year with pay, and each such member of the police force who has served the department for twenty-one years or more shall receive five weeks vacation each year

with pay. All members of the police force shall receive fourteen holidays with pay, and one hundred four days off duty each year with pay, and the boards may from time to time grant additional days off duty each year with pay when in the judgment of the boards, the granting thereof will not materially impair the efficiency of the department.

2. The St. Louis board of police commissioners may compensate the chief of police for any vacation leave accumulated in lieu of providing vacation days off with pay if such arrangement for compensation is agreed to by both the board and the chief of police."; and

Further amend title and enacting clause accordingly.

HOUSE AMENDMENT NO. 2

Amend House Substitute for House Committee Substitute for Senate Bill No. 371, Page 20, Section 513.653, Line 6, by inserting after all of said line the following:

"Section 1. As used in sections 1 to 5 of this act, the following terms mean:

(1) "Employing law enforcement agency" or "law enforcement agency", this state or any political subdivision in this state that employs law enforcement officers certified as required by chapter 590, RSMo;

(2) "Grievance committee", the committee, consisting of one or more individuals as established by the written guidelines of the department's policy and procedures manual, which may include already established personnel boards;

(3) "Grievance hearing", any hearing conducted by a grievance committee for the purpose of determining the facts regarding an occurrence which may lead to punitive action against a law enforcement officer;

(4) "Law enforcement officer" or "officer", any person who is regularly employed by an employing law enforcement agency and certified under chapter 590, RSMo, who possesses the duty and power of arrest for violation of the criminal laws of this state or for violation of

orders or ordinances of this state or any political subdivision of this state. This term shall not include an officer serving in probationary status upon initial employment, highway patrol members, water patrol members, conservation agents, state park rangers, or an elected sheriff, elected marshal, appointed chief of police or any chief deputy, deputy or undersheriff of a sheriff's department;

(5) "Punitive action", any disciplinary action as set forth in the written guidelines of the department's policy and procedures manual, except a written or oral reprimand, taken against a law enforcement officer by the employing law enforcement agency, including but not limited to dismissal, demotion, suspension, reduction in salary, withholding of salary, or a disciplinary transfer.

Section 2. The provisions of sections 1 to 5 of this act shall not apply to any law enforcement agency that has a published and distributed ordinance, administrative rule or regulation or written and distributed policies and procedures, which provides an officer who is subject to punitive action, written notification and citation of the reason for the punitive action and allows the officer to request and have a grievance hearing and the results of such hearing reduced to writing, and the results are appealable to the circuit court.

Section 3. 1. Any law enforcement officer who is the subject of punitive action shall at a minimum be furnished with a written statement and citations from the employing law enforcement agency's written and distributed policies and procedures for the reason of the punitive action.

2. Upon receipt of the written reasons for the punitive action the law enforcement officer may, within five working days, request a grievance hearing in writing. The hearing shall take place before the grievance committee as defined by the published and distributed employing law enforcement agency rules and regulations or procedures.

3. The employing law enforcement agency

shall schedule the grievance hearing no sooner than five days and no later than ten days after the written request was received from the law enforcement officer.

4. If the employing law enforcement agency is represented by counsel at the grievance hearing, the law enforcement officer shall have the right to be represented by counsel.

5. The provisions of this section shall not be applicable in the event any criminal charges have been filed against any law enforcement officer.

Section 4. Any decision, order or action taken as a result of the hearing shall be in writing and shall be accompanied by findings of fact. The findings shall consist of a concise statement upon each element in the case. A copy of the decision or order and accompanying findings and conclusions, along with written recommendations for action, shall be made available to the law enforcement officer.

Section 5. The decision of the grievance committee issued pursuant to sections 1 to 5 of this act shall be appealable to circuit court.

[85.011. Any law enforcement officer, other than an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state, who is regularly employed for more than thirty hours per week, and who is employed by a law enforcement agency of this state or political subdivision of this state which employs more than fifteen law enforcement officers, shall be given upon written request a meeting within forty-eight hours of a dismissal, disciplinary demotion or suspension that results in a reduction or withholding of salary or compensatory time. The meeting shall be held before any individual or board as designated by the governing body. At any such meeting, the employing law enforcement agency shall at a minimum provide a brief statement, which may be oral, of the reason of the

discharge, disciplinary demotion or suspension, and permit the law enforcement officer the opportunity to respond. The results from such meeting shall be reduced to writing. Any law enforcement agency that has substantially similar or greater procedures shall be deemed to be in compliance with this section. This section shall not apply to an officer serving in a probationary period or to the highest ranking officer of any law enforcement agency. Any law enforcement officer employed by the state shall not be subject to the provisions of this section.]

[590.500. Any law enforcement officer, other than an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state, who is regularly employed for more than thirty hours per week, and who is employed by a law enforcement agency of this state or political subdivision of this state which employs more than fifteen law enforcement officers, shall be given upon written request a meeting within forty-eight hours of a dismissal, disciplinary demotion or suspension that results in a reduction or withholding of salary or compensatory time. The meeting shall be held before any individual or board as designated by the governing body. At any such meeting, the employing law enforcement agency shall at a minimum provide a brief statement, which may be oral, of the reason of the discharge, disciplinary demotion or suspension, and permit the law enforcement officer the opportunity to respond. The results from such meeting shall be reduced to writing. Any law enforcement agency that has substantially similar or greater procedures shall be deemed to be in compliance with this section. This section shall not apply to an officer serving in a probationary period

or to the highest ranking officer of any law enforcement agency.]" and

Further amend the title and enacting clause accordingly.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SBs 387, 206 and 131**, as amended: Senators Clay, Maxwell, Mathewson, Sims and Rohrbach.

PRIVILEGED MOTIONS

Senator Jacob, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HB 516**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE BILL NO. 516

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 516, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Bill No. 516;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 516, as amended;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: FOR THE HOUSE:

- | | |
|-------------------|------------------------|
| /s/ Ed Quick | /s/ Steve Gaw |
| /s/ Jim Mathewson | /s/ Joan Bray |
| /s/ Ken Jacob | /s/ Tim VanZandt |
| /s/ Steve Ehlmann | /s/ Michael R. Gibbons |
| /s/ Walt Mueller | /s/ Daniel J. Hegeman |

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

YEAS—Senators			
Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators	
Schneider	Scott—2
Absent with leave—Senators—None	

Senator Jacob moved that **CCS** for **SS** for **SCS** for **HS** for **HB 516**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE BILL NO. 516

An Act to repeal sections 33.080, 136.300, 143.111, 143.151, 147.010, 147.020, 147.030, 147.040, 147.050, 147.070, 147.080, 147.100, 351.484 and 351.598, RSMo 1994, and sections 136.110, 137.073, 143.124, 143.161, 144.010, 144.030, 147.120 and 351.120, RSMo Supp. 1998, relating to taxation, and to enact in lieu thereof twenty-four new sections relating to the same subject, with an effective date for certain sections.

Be read the 3rd time and finally passed.

Senator Jacob offered **SPA 1**:

SENATE PERFECTING AMENDMENT NO. 1

Amend Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 516,

Section 143.124, Page 20, Line 14, by inserting after the word "include" the words "**401(k) plans, deferred compensation plans,**"; and

Further amend said section, Page 20, Line 17, by inserting after the word "Code," the words "**but not including Roth IRAs,**"; and

Further amend said section, Page 20, Line 20, by inserting after the word "state." the words "**An individual taxpayer shall only be allowed a maximum deduction of six thousand dollars pursuant to this section. Taxpayers filing combined returns shall only be allowed a maximum deduction of six thousand dollars for each taxpayer on the combined return.**"; and

Further amend said substitute, Page 48, Section 144.030, Line 10 of said page, by deleting the words "**and food**" and inserting in lieu thereof the words "**or food**"; and

Further amend said section, Page 48, Line 13 of said page, by deleting the word and number "**and 541940**" and inserting in lieu thereof the word and number "**or 541940**"; and

Further amend said substitute, Page 53, Section 147.010, Line 6 of said page, by deleting the words "**secretary of state**" and inserting in lieu thereof the words "**director of revenue**".

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

On motion of Senator Jacob, **CCS for SS for SCS for HS for HB 516**, as amended by **SPA 1**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Mathewson, on behalf of the conference committee appointed to act with a like committee from the House on **HS for HCS for SS for SCS for SBs 14, 60 and 69**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 14, 60 and 69

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 14, 60 & 69, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 14, 60 & 69, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 14, 60 & 69;

3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: FOR THE HOUSE:

/s/ Jim Mathewson /s/ May Scheve

/s/ Wayne Goode /s/ Joan Bray

/s/ Joe Maxwell /s/ Harold R. Selby

/s/ Sarah H. Steelman /s/ Jewell Patek

/s/ Roseann Benlley /s/ Emmy McClelland

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

Yeckel—33

NAYS—Senator Rohrbach—1

Absent—Senators—None

Absent with leave—Senators—None

On motion of Senator Mathewson, **CCS for HS for HCS for SS for SCS for SBs 14, 60 and 69**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 14, 60 and 69

An Act relating to pharmaceutical income tax credits for lower income elderly persons.

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

YEAS—Senators

Banks	Bentley	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Rohrbach—1

Absent—Senator Bland—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Johnson assumed the Chair.

Senator Maxwell moved that the conference committee report on **HS for HCS for SS for SCS for SBs 160 and 82**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Caskey	Childers
Clay	DePasco	Ehlmann	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Mathewson
Maxwell	Mueller	Quick	Russell
Scott	Sims	Singleton	Staples
Steelman	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Flotron Klarich Rohrbach—3

Absent—Senators

Bland Schneider Stoll—3

Absent with leave—Senators—None

On motion of Senator Maxwell, **HS for HCS for SS for SCS for SBs 160 and 82**, as amended by the conference committee report, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Mathewson	Maxwell	Mueller	Russell
Scott	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Flotron Klarich Rohrbach—3

Absent—Senators

Quick Schneider Staples—3

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Johnson	Kenney	Kinder
Mathewson	Maxwell	Mueller	Quick
Russell	Scott	Steelman	Stoll
Westfall	Wiggins	Yeckel—27	

NAYS—Senators

Klarich Rohrbach Sims—3

Absent—Senators

Jacob Schneider Singleton Staples—4

Absent with leave—Senators—None

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

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

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

PRIVILEGED MOTIONS

Senator Flotron moved that the Senate refuse to concur in **HS** for **HCS** for **SB 371**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Clay, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SBs 387, 206** and **131**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 387, 206 and 131

Mr. President: Your Conference Committee,

appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 387, 206 & 131, with House Amendments Nos. 1, 2, 3 & 4; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 387, 206 & 131;

2. That the attached Conference Committee Amendment No. 1, be adopted;

3. That House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 387, 206 & 131, with House Amendments Nos. 1, 2, 3 & 4 and Conference Committee Amendment No. 1, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ William Clay /s/ Russell C. Gunn

/s/ Joe Maxwell /s/ Chuck Gross

/s/ Jim Mathewson /s/ Ralph Monaco

/s/ Larry Rohrbach /s/ Chuck Purgason

/s/ Betty Sims /s/ Kate Hollingsworth

CONFERENCE COMMITTEE AMENDMENT NO. 1

Amend House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 387, 206 and 131, page 29, Section 1, Line 18 of said page, by inserting after "by" the following: "**the director, after consideration of caseload standards established by**"; and

Further amend said bill, page 30, Section 2, line 18 of said page, by inserting a period "." after the word "evaluation"; and further amend lines 19 to 24 of said page, by striking all of said lines; and

Further amend said bill, page 34, Section 7, line 16 of said page, by striking "shall not" and inserting in lieu thereof the following: "**are not required to**"; and further amend line 20 of said page, by striking "in a given county"; and inserting

in lieu thereof the following: "**and such employment**"; and further amend line 21 of said page, by striking the following: "(2) The employment".

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	House	Howard
Johnson	Kenney	Kinder	Mathewson
Maxwell	Quick	Rohrbach	Russell
Scott	Sims	Singleton	Staples
Steelman	Stoll	Wiggins—27	

NAYS—Senators

Graves	Klarich	Mueller	Westfall—4
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Absent—Senators

Jacob	Schneider	Yeckel—3
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Absent with leave—Senators—None

Senator Mathewson assumed the Chair.

On motion of Senator Clay, **HS** for **HCS** for **SCS** for **SBs 387, 206 and 131**, as amended by the conference committee report, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Goode
House	Howard	Johnson	Kinder
Mathewson	Maxwell	Quick	Scott
Sims	Staples	Steelman	Stoll
Wiggins—21			

NAYS—Senators

Ehlmann	Graves	Kenney	Klarich
Mueller	Rohrbach	Russell	Westfall—8

Absent—Senators

Flotron	Jacob	Schneider	Singleton
Yeckel—5			

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Russell moved that **SB 115**, with **HCA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HCA 1 was again taken up.

Senator Russell moved that **HCA 1** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Johnson	Kenney	Kinder
Mathewson	Maxwell	Rohrbach	Russell
Scott	Sims	Staples	Steelman
Stoll	Wiggins	Yeckel—27	

NAYS—Senators—None

Absent—Senators

Jacob	Klarich	Mueller	Quick
Schneider	Singleton	Westfall—7	

Absent with leave—Senators—None

On motion of Senator Russell, **SB 115**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Johnson
Kenney	Kinder	Mathewson	Maxwell
Mueller	Russell	Scott	Staples
Steelman	Westfall	Wiggins	Yeckel—24

NAYS—Senators

Howard	Rohrbach	Sims—3
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Absent—Senators

Bentley	Jacob	Klarich	Quick
Schneider	Singleton	Stoll—7	

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HB 64 was placed on the Informal Calendar.

HS for **HCS** for **HB 822**, with **SCS**, was placed on the Informal Calendar.

HCS for **HBs 321** and **493**, with **SCAs 1** and **2**, entitled:

An Act to repeal sections 174.620 and 175.021, RSMo 1994, and sections 172.035, 174.055, 174.450, 174.453, 174.610 and 175.020, RSMo Supp. 1998, relating to the governing boards of certain institutions of higher education, and to enact in lieu thereof fifteen new sections relating to the same subject.

Was taken up by Senator House.

SCA 1 was taken up.

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

SCA 2 was taken up.

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

Senator Flotron offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bills Nos. 321 and 493, Page 9, Section 175.023, Line 9, by inserting after all of said line the following:

"Section 1. In any school district in which district charter schools may be established pursuant to section 160.400, RSMo, any state college or university referred to in section 174.020, RSMo, and governed by section

174.056, RSMo, which provides educational programs to any part of such district may sponsor one or more charter schools pursuant to section 160.400, RSMo, and, in addition to the purposes for which charter schools may be established pursuant to sections 160.400 to 160.420, RSMo, such charter schools may be established to emphasize remediation of reading deficiencies."; and

Further amend the title and enacting clause accordingly.

Senator Flotron moved that the above amendment be adopted.

At the request of Senator House, **HCS** for **HBs 321** and **493**, with **SA 1** (pending), was placed on the Informal Calendar.

HCS for **HBs 192** and **945**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 389**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 599**, with **SCS**, was placed on the Informal Calendar.

HCS for **HBs 430** and **648**, with **SCS**, was placed on the Informal Calendar.

HCS for **HJR 26**, with **SCS**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 44 of article IV of the Constitution of Missouri, relating to the conservation commission and adopting one new section in lieu thereof relating to the same subject.

Was taken up by Senator Staples.

SCS for **HCS** for **HJR 26**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 26

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 44 of article IV of the Constitution of Missouri, relating to the conservation commission and adopting one new section in lieu thereof relating to the same subject.

Was taken up.

Senator Staples moved that **SCS** for **HCS** for **HJR 26** be adopted.

Senator Scott offered a substitute motion that further debate on **SCS** for **HCS** for **HJR 26** be postponed until 5:59 p.m. on May 14th, 1999, which motion failed on a standing division vote.

SCS for **HCS** for **HJR 26** was again taken up.

Senator Ehlmann offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Joint Resolution No. 26, Page 1, Section 44, Line 8, by adding the following:

"Section B. Section 7, article I, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be submitted to the voters as a separate question, to be known as section 7, to read as follows:

Section 7. Neither the state, nor any of its political subdivisions, shall make any law respecting an establishment of religion or prohibiting the free exercise thereof.

[Section 7. That no money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or denomination of religion, or in aid of any priest, preacher, minister or teacher thereof, as such; and that no preference shall be given to nor any discrimination made against any church, sect or creed of religion, or any form of religious faith or worship.]".

Senator Ehlmann moved that the above amendment be adopted.

At the request of Senator Staples, **HCS** for **HJR 26**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **SS** for **SCS** for **SB 19**, as amended, and grants the Senate

a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **SS** for **SCS** for **SB 19**, as amended: Representatives Koller, Green, Gratz, Patek, Pryor.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 676**, as amended: Representatives Days, Farnen, Seigfried, Long, Blunt.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HBs 603, 722 and 783**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HBs 603, 722 and 783**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SBs 308 and 314**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SBs 308 and 314**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 267**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 267**.

Also,

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

refuses to recede from its position on **HS** for **HCS** for **SB 371**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SS** for **SCS** for **SBs 14, 60 and 69**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SBs 14, 60 and 69**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129 and 222**, as amended: Representatives May (108), Monaco, Hosmer, Richardson, Patek.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SB 371**, as amended: Representatives Hosmer, Carter, Kissell, Barnett and Gibbons.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **SS** for **SCS** for **SB 19**, as amended: Senators Goode, Graves, Kenney, Mathewson and Staples.

PRIVILEGED MOTIONS

Senator Scott, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 267**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 267

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 267, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, 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 House Bill No. 267;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 267, as amended;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE:	FOR THE HOUSE:
/s/ John E. Scott	/s/ Thomas Hoppe
/s/ Harry Wiggins	/s/ Francis Overschmidt
/s/ Jim Mathewson	/s/ Timothy P. Green
/s/ David Klarich	/s/ John E. Griesheimer
/s/ Anita Yeckel	/s/ Jon Dolan

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

YEAS—Senators

Banks	Bland	Clay	DePasco
Ehlmann	Goode	House	Howard
Jacob	Johnson	Kinder	Klarich
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Schneider	Scott	Sims
Staples	Steelman	Stoll	Wiggins

Yeckel—25

NAYS—Senators

Bentley	Caskey	Childers	Graves
Kenney	Russell	Singleton	Westfall—8

Absent—Senator Flotron—1

Absent with leave—Senators—None

On motion of Senator Scott, **CCS** for **SS** for **SCS** for **HCS** for **HB 267**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 267

An Act to repeal sections 311.091, 311.093, 311.178, 311.210, 311.220, 311.293, 311.298, 311.328, 311.329 and 311.660, RSMo 1994, and sections 311.098, 311.102, 311.200, 311.260, 311.300 and 311.680, RSMo Supp. 1998, relating to the division of liquor control, and to enact in lieu thereof sixteen new sections relating to the same subject, with penalty provisions.

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

YEAS—Senators

Banks	Bentley	Bland	Clay
DePasco	Ehlmann	Goode	House
Howard	Jacob	Johnson	Kinder
Klarich	Mathewson	Maxwell	Mueller
Rohrbach	Schneider	Scott	Sims
Staples	Stoll	Wiggins	Yeckel—24

NAYS—Senators

Caskey	Childers	Graves	Kenney
Russell	Singleton	Steelman	Westfall—8

Absent—Senators

Flotron Quick—2

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Goode, on behalf of the conference committee appointed to act with a like committee

from the House on **SCS** for **HCS** for **HBs 603, 722 and 783**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 603, 722 and 783

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 603, 722 and 783, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 603, 722 and 783, as amended;

2. That the House recede from its position on House Committee Substitute for House Bills Nos. 603, 722 and 783;

3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: FOR THE HOUSE:

/s/ Wayne Goode /s/ Gary Wiggins

/s/ Joe Maxwell /s/ Bill Ransdall

/s/ John T. Russell /s/ Jim Kreider

/s/ John D. Schneider /s/ John E. Griesheimer

/s/ Morris Westfall /s/ Ronnie Miller

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

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senator Banks—1

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **SCS** for **HCS** for **HBs 603, 722 and 783**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 603, 722 and 783

An Act to repeal sections 260.209, 307.390, 643.315, 643.335, 643.350 and 643.355, RSMo 1994, and sections 34.040, 260.205, 260.273, 260.330, 307.366, 307.375, 319.131 and 643.310, RSMo Supp. 1998, relating to the department of natural resources, and to enact in lieu thereof seventeen new sections relating to the same subject.

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

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Mathewson
Maxwell	Mueller	Quick	Russell
Schneider	Sims	Singleton	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Klarich Rohrbach—2

Absent—Senators

Banks Flotron Scott Staples—4

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

President Wilson assumed the Chair.

Senator Schneider, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129 and 222**, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 1, 92, 111, 129 and 222

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 1, 92, 111, 129 & 222, with House Amendments Nos. 1, 2, 3, 4, 6, House Substitute Amendment No. 1 for House Amendment No. 7, House Amendments Nos. 8, 9, 10 and 11; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 1, 92, 111, 129 & 222, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 1, 92, 111, 129 & 222; and

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 1, 92, 111, 129 & 222, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ John D. Schneider /s/ Brian H. May

/s/ Harry Wiggins /s/ Ralph A. Monaco

/s/ Ronnie DePasco /s/ W. Craig Hosmer

/s/ Betty Sims /s/ Mark Richardson

/s/ Roseann Bentley /s/ Jewell Patek

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

At the request of Senator Schneider, the above motion was withdrawn.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 289**, as amended, and request the Senate take up and pass **HCS** for **SS** for **SB 289**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 852** and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 852**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt the conference committee report on **HS** for **HCS** for **SCS** for **SB 61**, as amended, and request the Senate grant the House further conference.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House is returning **CCS** for **SS** for **SCS** for **HB 65** for further consideration.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HS** for **HCS** for **HB 701**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 701**.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **SB 518**, entitled:

An Act to repeal section 67.1300, RSMo Supp. 1998, relating to economic development programs, and to enact in lieu thereof eight new sections relating to the same subject, with an emergency clause for certain sections.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Substitute for House Committee Substitute for Senate Bill No. 518, Page 15, Section 4, Line four, by adding immediately after said line, the following:

"5. The Missouri seed capital investment board shall report the following to the department:

(1) As soon as practicable after the receipt of a qualified contribution the name of each person from which the qualified contribution was received, the amount of each contributor's qualified contribution and the tax credits computed pursuant to this section;

(2) On a quarterly basis, the amount of qualified investments made to any qualified business;

(3) On a quarterly basis, verification that the investment of seed capital, start up capital, or follow up capital in a qualified business does not direct more than ten percent of all the qualified contributions to a qualified fund to be invested in a single qualifying business.

6. Each qualified fund shall provide annual audited financial statements, including the opinion of an independent certified public accountant, to the department within ninety days of the close of the state fiscal year. The audit shall address the methods of operation and conduct of the business of the qualified economic development organization to determine compliance with the statutes and program rules and that the qualified contributions received by the qualified fund have been invested as required by this section."

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Bentley moved that the Senate grant the House further conference on **HS** for **HCS** for **SCS** for **SB 61**, as amended, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 61**, as amended: Senators Bentley, Westfall, Johnson, Stoll and Mathewson.

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SB 371**, as amended: Senators Flotron, Singleton, Howard, Wiggins and Stoll.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Scott moved that the vote to lay on the table the motion to reconsider the vote by which **CCS** for **SS** for **SCS** for **HB 65** passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bentley	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Steelman—1

Absent—Senator Banks—1

Absent with leave—Senators—None

Having voted on the prevailing side, Senator Scott moved that the vote by which the title to **CCS** for **SS** for **SCS** for **HB 65** was agreed to be

reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bland	Caskey	Childers	Clay
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Mathewson
Maxwell	Mueller	Quick	Russell
Scott	Sims	Singleton	Stoll
Westfall	Wiggins	Yeckel—27	

NAYS—Senators

Klarich	Rohrbach	Steelman—3
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Absent—Senators

Banks	Bentley	Schneider	Staples—4
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Absent with leave—Senators—None

Having voted on the prevailing side, Senator Scott moved that the vote by which the Emergency Clause was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bland	Caskey	Childers	Clay
DePasco	Ehlmann	Flotron	Goode
Graves	House	Howard	Jacob
Johnson	Kenney	Kinder	Mathewson
Maxwell	Mueller	Quick	Russell
Scott	Sims	Staples	Stoll
Westfall	Wiggins	Yeckel—27	

NAYS—Senators

Klarich	Rohrbach	Steelman—3
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Absent—Senators

Banks	Bentley	Schneider	Singleton—4
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Absent with leave—Senators—None

Having voted on the prevailing side, Senator Scott moved that the vote by which **CCS** for **SS** for **SCS** for **HB 65** was read the 3rd time and passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bland	Caskey	Childers	Clay
DePasco	Flotron	Goode	Graves
House	Howard	Jacob	Kenney

Kinder Mathewson Maxwell Mueller
 Russell Scott Sims Singleton
 Staples Stoll Westfall Wiggins
 Yeckel—25

NAYS—Senators

Klarich Rohrbach Steelman—3

Absent—Senators

Banks Bentley Ehlmann Johnson
 Quick Schneider—6

Absent with leave—Senators—None

Having voted on the prevailing side, Senator Scott moved that the vote by which the Conference Committee Report on **SS** for **SCS** for **HB 65**, as amended, was adopted, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Bland Caskey Childers Clay
 DePasco Flotron Goode Graves
 House Howard Jacob Johnson
 Kenney Kinder Mathewson Maxwell
 Mueller Quick Russell Scott
 Sims Singleton Staples Stoll
 Westfall Wiggins Yeckel—27

NAYS—Senators

Klarich Rohrbach Steelman—3

Absent—Senators

Banks Bentley Ehlmann Schneider—4

Absent with leave—Senators—None

At the request of Senator Scott, the motion to adopt the conference committee report on **SS** for **SCS** for **HB 65**, as amended, was withdrawn.

Senator Caskey, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SS** for **SCS** for **SB 335**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
 HOUSE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 335

Mr. President: Your Conference Committee, appointed to confer with a like committee of the

House, on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 335, with House Amendments Nos. 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, House Substitute Amendment No. 1 for House Amendment No. 14, House Amendments Nos. 15, 16, 17, 18, 19, 20 and 21; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 335, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 335;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 335 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Harold Caskey
 /s/ Jim Mathewson
 /s/ John E. Scott
 /s/ Morris Westfall
 /s/ Marvin Singleton

FOR THE HOUSE:

/s/ Kelly Parker
 /s/ W. Craig Hosmer
 /s/ Phillip M. Britt
 Catharine Hanaway
 Mark Richardson

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

At the request of Senator Caskey, the above motion was withdrawn.

Senator Quick, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 436**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
 HOUSE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 436

Mr. President: Your Conference Committee, appointed to confer with a like committee of the

House, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 436, with House Amendment No. 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 436, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 436;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 436 be truly agreed to and finally passed.

FOR THE SENATE:

- /s/ Ed Quick
- /s/ John E. Scott
- /s/ Jim Mathewson
- /s/ Betty Sims
- /s/ Anita Yeckel

FOR THE HOUSE:

- /s/ Thomas Hoppe
- /s/ Tim Harlan
- /s/ Phil Smith
- /s/ John E. Griesheimer
- /s/ Carson Ross

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Stelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senator Graves—1

Absent—Senators—None

Absent with leave—Senators—None

On motion of Senator Quick, **CCS** for **HS** for **HCS** for **SCS** for **SB 436**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 436

An Act to repeal sections 190.307 and 320.320, RSMo 1994, and sections 190.044, 190.060, 321.220, 321.242, 321.600 and 650.330, RSMo Supp. 1998, relating to certain emergency services, and to enact in lieu thereof eleven new sections relating to the same subject.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Schneider	Scott
Sims	Singleton	Staples	Stelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senator Graves—1

Absent—Senator Russell—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

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

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

Speaker has reappointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SCS** for **SB 61**, as amended: Representatives Hoppe, Foley, Rizzo, Berkstresser and Marble.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **SCS** for **SB 394**, entitled:

An Act to repeal sections 52.260, 72.409, 72.416, 140.110, 140.160, 141.080, 141.220 and 141.570, RSMo 1994, and sections 72.400, 72.401, 72.402, 72.403, 72.405, 72.407, 72.408, 72.410, 72.412, 72.418, 72.422 and 139.053, RSMo Supp. 1998, relating to ownership of property, and to enact in lieu thereof thirty-seven new sections relating to the same subject, with a penalty provision and an effective date for a certain sections and an emergency clause for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 394, Page 65, Section E, Line 4, by inserting after all of said line the following:

"Section F. Three new sections are enacted, to be known as sections 3, 4, and 5, to read as follows:

Section 3. 1. The governor is hereby authorized and empowered to transfer, grant and convey approximately one hundred five acres in fee simple absolute in property owned by the state in Cole County which is part of the correctional facility known as the Church Farm to the Missouri department of natural resources. The property to be conveyed to the Missouri department of natural resources by the governor, state of Missouri, is more particularly described as follows:

A 105-acres, more or less, of land located in that part of Section 13, Township 45 North, Range 13 West, Cole County, Missouri, generally described as follows:

lying south of and southwest of the Missouri Pacific Railroad, West of Workman's Creek, North of Missouri State Highway 179, and East and South of tract of land currently owned by Donald and Patsy Russell.

2. The Missouri Department of Natural Resources shall survey and legally describe the above tract of land, and the legal description of said survey shall be used in the instrument of conveyance from the Governor, State of Missouri, to the Department of Natural Resources.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant and convey in fee simple absolute in property owned by the state in Cole County which is part of the correctional facility known as the Church Farm to any person at a public offering as provided in subsection 2 of this section. The property hereby authorized to be conveyed by the governor shall be more particularly described by a survey. Such survey shall be authorized by the division of design and construction of the office of administration pursuant to this section.

2. The division of design and construction of the office of administration shall authorize an independent appraisal or appraisals. The commissioner of administration shall set the terms and conditions for the public sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required; the time, place and terms of the sale; whether or not a minimum bid shall be required; and whether or not to contract for the services of a public auctioneer to market the property. The auctioneer, if any, may receive the usual and customary fee. All costs and fees, directly related to such sale, shall be paid from the proceeds of such sale. All proceeds received for such sale, in excess of the costs, shall be used to assist in the funding of the construction or repair or maintenance of state correctional

facilities.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 5. 1. The governor is hereby authorized and empowered to give, grant, bargain and convey to the city of Jefferson, Missouri, property used for the street right-of-way, utilities and sanitary lift station purposes. The property to be conveyed to the city of Jefferson, Missouri, by the state of Missouri is more particularly described as follows:

Part of the Southeast Quarter of Section 30, Township 44 North, Range 11 West, in the City of Jefferson, County of Cole, Missouri; being more particularly described as follows:

BEGINNING at the northeast corner of the Southeast Quarter of said Section 30; thence south along the east line of said Southeast Quarter, 625 feet; thence west and parallel to the north line of said Southeast Quarter, to a point 30 feet west of the said east line of said Southeast Quarter, as measured perpendicular thereto; thence north on a line parallel to and 30 feet west of said east line of said Southeast Quarter, 625 feet to the north line of said Southeast Quarter; thence east along the north line of said Southeast Quarter to the **POINT OF BEGINNING**. Containing in all, .043 acres.

2. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill, by amending the title and enacting clause 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 to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HS** for **HCS**

for **HB 793**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 793**.

PRIVILEGED MOTIONS

Senator Bentley, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 61**, as amended, submitted the following conference committee report no. 2:

**CONFERENCE COMMITTEE REPORT NO. 2
ON HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 61**

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House, on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, with House Amendments Nos. 1, 2, 3, 4 and 5; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 61;

3. That the attached Conference Committee Amendment No. 1, be adopted; and

4. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, with Conference Committee Amendment No. 1, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Roseann Bentley
/s/ Morris Westfall
/s/ Sidney Johnson

FOR THE HOUSE:

/s/ Thomas Hoppe
/s/ Henry Rizzo
/s/ James M. Foley

/s/ Stephen Stoll /s/ Gary Marble
 /s/ Jim Mathewson /s/ Judy Berkstresser
**CONFERENCE COMMITTEE AMENDMENT
 NO. 1**

Amend Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 61, Page 21, Section 1, Line 19 of said page, by inserting after all of said line the following:

"Section 2. The portion of state highway 13 in Caldwell county shall be named "The Zach Wheat Memorial Highway"."; and

Further amend the title and enacting clause accordingly.

Senator Bentley moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senator Rohrbach—1

Absent—Senators

Ehlmann	Schneider—2
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Absent with leave—Senators—None

On motion of Senator Bentley, **CCS** for **HS** for **HCS** for **SCS** for **SB 61**, as amended by the conference committee report no. 2, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Mathewson	Maxwell	Mueller	Quick
Russell	Scott	Sims	Singleton
Staples	Steelman	Stoll	Westfall

Wiggins	Yeckel—30
NAYS—Senators	
Klarich	Rohrbach—2
Absent—Senators	
Ehlmann	Schneider—2
Absent with leave—Senators—None	

The President declared the bill passed.

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

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

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

Senator Quick moved that **SCS** for **SB 394**, with **HS** for **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HS for **HCS** for **SCS** for **SB 394**, as amended, entitled:

**HOUSE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 394**

An Act to repeal sections 52.260, 72.409, 72.416, 140.110, 140.160, 141.080, 141.220 and 141.570, RSMo 1994, and sections 72.400, 72.401, 72.402, 72.403, 72.405, 72.407, 72.408, 72.410, 72.412, 72.418, 72.422 and 139.053, RSMo Supp. 1998, relating to ownership of property, and to enact in lieu thereof thirty-seven new sections relating to the same subject, with a penalty provision and an effective date for a certain sections and an emergency clause for a certain section.

Was taken up.

Senator Quick moved that **HS** for **HCS** for **SCS** for **SB 394**, as amended, be adopted.

At the request of Senator Quick, the above motion was withdrawn.

Senator Mathewson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HCS** for **HB 701**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 701

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 701, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

- 1. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 701;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 701, as amended;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: /s/ Jim Mathewson /s/ Sidney Johnson /s/ John E. Scott /s/ Doyle Childers /s/ David J. Klarich
FOR THE HOUSE: /s/ Henry Rizzo /s/ Dennis Bonner /s/ Carol Jean Mays /s/ Bubs Hohulin /s/ Carl M. Vogel

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

YEAS—Senators
Banks Bentley Bland Caskey
Childers Clay DePasco Ehlmann
Flotron Goode Graves House
Howard Jacob Johnson Kenney
Kinder Klarich Mathewson Maxwell
Mueller Quick Rohrbach Russell
Scott Sims Singleton Staples
Stelman Stoll Westfall Wiggins
Yeckel—33
NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators—None

On motion of Senator Mathewson, CCS for SS for SCS for HS for HCS for HB 701, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 701

An Act to repeal sections 143.081, 620.163 and 620.602, RSMo 1994, and sections 135.100, 135.200, 135.205, 135.207, 135.208, 135.225, 135.230, 135.535, 135.750, 620.1023 and 620.1300, RSMo Supp. 1998, relating to tax credit programs administered by the department of economic development, and to enact in lieu thereof nineteen new sections relating to the same subject, with an effective date for a certain section.

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

YEAS—Senators

Banks Bentley Bland Caskey
Childers Clay DePasco Ehlmann
Flotron Goode Graves House
Howard Jacob Johnson Kenney
Kinder Klarich Mathewson Maxwell
Mueller Russell Schneider Scott
Sims Singleton Staples Steelman
Stoll Westfall Wiggins Yeckel—32

NAYS—Senator Rohrbach—1

Absent—Senator Quick—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Staples moved that SB 518, with HS

for **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HS for **HCS** for **SB 518**, as amended, entitled:

HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 518

An Act to repeal section 67.1300, RSMo Supp. 1998, relating to economic development programs, and to enact in lieu thereof eight new sections relating to the same subject, with an emergency clause for certain sections.

Was taken up.

Senator Staples moved that **HS** for **HCS** for **SB 518**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Mueller	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Rohrbach Russell—2

Absent—Senators

Bentley Maxwell Quick Schneider—4

Absent with leave—Senators—None

On motion of Senator Staples, **HS** for **HCS** for **SB 518**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Johnson	Kenney	Kinder	Klarich
Mathewson	Maxwell	Mueller	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Rohrbach Russell—2

Absent—Senators

Clay Jacob Quick Schneider—4

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Scott	Sims	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—29			

NAYS—Senator Rohrbach—1

Absent—Senators

Clay Russell Schneider Singleton—4

Absent with leave—Senators—None

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

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

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

Senator Quick moved that the Senate refuse to concur in **HS** for **HCS** for **SCS** for **SB 394**, as amended, and request the House to recede from its position, and failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Goode, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **SS** for **SCS** for **SB 19**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 19

Mr. President: Your Conference Committee,

appointed to confer with a like committee of the House, on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, House Substitute Amendment No. 1 for House Amendment No. 8, House Amendments Nos. 9, 10, 11, 12, 13, 14, Part 1 of House Amendment No. 15, House Amendments Nos. 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 & 27; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 19; and

3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 19, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Wayne Goode	/s/ Don Koller
/s/ Sam Graves	/s/ Timothy Green
/s/ Bill Kenney	/s/ W. W. (Bill) Gratz
/s/ Jim Mathewson	/s/ Chuck Pryor
/s/ Danny Staples	/s/ Jewell Patek

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

YEAS—Senators

Banks	Bland	Childers	DePasco
Ehlmann	Flotron	Goode	Graves
House	Jacob	Johnson	Kenney
Kinder	Mathewson	Maxwell	Sims
Staples	Steelman	Stoll	Westfall

Wiggins—21

NAYS—Senators

Caskey	Klarich	Mueller	Rohrbach
Russell	Scott	Singleton	Yeckel—8

Absent—Senators
 Bentley Clay Howard Quick
 Schneider—5

Absent with leave—Senators—None

On motion of Senator Goode, **CCS** for **HS** for **SS** for **SCS** for **SB 19**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
 FOR HOUSE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 19

An Act to repeal sections 82.485, 82.487, 137.130, 302.177, 302.735, 303.041, 303.042, 303.043, 303.190, 304.170, 304.235, 306.400, 306.405, 306.410, 306.415, 306.420, 307.353, 307.355, 307.360, 307.365, 307.390, 374.070, 643.315, 643.335, 643.350, 643.355, 700.010, 700.015, 700.021, 700.025, 700.030, 700.035, 700.045, 700.050, 700.060, 700.090 and 700.100, RSMo 1994, and sections 32.080, 136.055, 301.025, 301.140, 301.142, 301.190, 301.191, 302.020, 302.060, 302.130, 302.171, 302.173, 302.181, 302.302, 302.304, 302.309, 302.321, 302.341, 303.024, 303.025, 303.026, 304.155, 304.156, 304.157, 304.158, 307.350, 307.366, 307.375, 307.400, 374.205, 643.310 and 700.040, RSMo Supp. 1998, relating to drivers and motor vehicles, and to enact in lieu thereof ninety new sections relating to the same subject, with penalty provisions, effective dates and expiration dates for certain sections and an emergency clause for a certain section.

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

YEAS—Senators

Bentley	Bland	Childers	Clay
DePasco	Ehlmann	Flotron	Goode
Graves	House	Jacob	Johnson
Kenney	Kinder	Maxwell	Mueller
Quick	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins—23	

NAYS—Senators

Banks	Caskey	Howard	Klarich
Mathewson	Rohrbach	Russell	Scott
Sims	Yeckel—10		

Absent—Senator Schneider—1

Absent with leave—Senators—None

The President declared the bill passed.

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

YEAS—Senators

Bentley	Bland	Ehlmann	Flotron
Goode	Graves	Jacob	Johnson
Kenney	Kinder	Mathewson	Quick
Scott	Sims	Singleton	Stoll
Westfall	Wiggins—18		

NAYS—Senators

Banks	Caskey	Childers	Clay
DePasco	House	Howard	Klarich
Maxwell	Rohrbach	Russell	Staples
Steelman	Yeckel—14		

Absent—Senators

Mueller Schneider—2

Absent with leave—Senators—None

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

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

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

Senator Mathewson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HCS** for **HB 793**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 793

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Substitute for Senate Committee

Substitute for House Substitute for House Committee Substitute for House Bill No. 793, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 793, as amended;

2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 793;

3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE:

/s/ Jim Mathewson
/s/ John E. Scott
/s/ Sidney Johnson
/s/ Franc Flotron
/s/ Betty Sims

FOR THE HOUSE:

/s/ Joseph L. Treadway
/s/ Patrick J. O'Connor
/s/ Jim O'Toole
/s/ John E. Griesheimer
/s/ W. Todd Akin

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

YEAS—Senators

Banks	Bland	Clay	DePasco
Ehlmann	Flotron	Goode	Graves
House	Jacob	Johnson	Kinder
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Schneider	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—24

NAYS—Senators

Bentley	Caskey	Childers	Kenney
Klarich	Russell	Scott	Sims
Singleton—9			

Absent—Senator Howard—1

Absent with leave—Senators—None

On motion of Senator Mathewson, **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 793**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 793

An Act to repeal sections 313.270, 313.805, 313.807, 313.812, 313.815, 313.817, 313.822, 313.830 and 572.010, RSMo 1994, and section 313.807, as reprinted in RSMo Supp. 1998, relating to gaming, and to enact in lieu thereof sixteen new sections relating to the same subject, with penalty provisions.

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

YEAS—Senators

Banks	Bland	Clay	DePasco
Ehlmann	Flotron	Graves	Jacob
Johnson	Mathewson	Maxwell	Mueller
Rohrbach	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—19	

NAYS—Senators

Bentley	Caskey	Childers	Goode
House	Howard	Kenney	Kinder
Klarich	Russell	Schneider	Sims
Singleton—13			

Absent—Senators

Quick	Scott—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Caskey moved that the conference committee report on **HS** for **HCS** for **SS** for **SCS** for **SB 335**, as amended, be taken up for adoption, which motion prevailed.

Senator Caskey offered **SPA 1**:

SENATE PERFECTING AMENDMENT NO. 1

Amend Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 335, Pages 15-16, Section 557.035, by striking all of said section from the bill; and

Further amend said bill, Page 28, Section 558.019, Line 1 of said page, by inserting after the word "programs" the following: "; and

(6) The donation of a designated amount of money to a county law enforcement fund as determined by the judge. An annual audit of the fund shall be conducted by the county auditor or the state auditor. The provisions of this subdivision shall expire December 31, 2002. Any money deposited into the county law enforcement fund pursuant to this section shall only be expended with the approval of the majority of the presiding commissioner, the sheriff and one other elected county official to be agreed upon by the presiding commissioner and the sheriff"; and

Further amend said bill, Page 28, Section 559.021, Line 19 of said page, by inserting after the word "judge" the following: "; and

(3) The donation of a designated amount of money to a county law enforcement fund as determined by the judge. An annual audit of the fund shall be conducted by the county auditor or the state auditor. The provisions of this subdivision shall expire December 31, 2002. Any money deposited into the county law enforcement fund pursuant to this section shall only be expended with the approval of the majority of the presiding commissioner, the sheriff and one other elected county official to be agreed upon by the presiding commissioner and the sheriff"; and

Further amend the title and enacting clause accordingly.

Senator Caskey requested unanimous consent of the Senate to suspend the rules and adopt the conference committee report; adopt **SPA 1**; and 3rd read **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SB 335** with one vote, which request was granted.

On motion of Senator Caskey, the conference committee report was adopted; **SPA 1** was adopted; and **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SB 335**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 335

An Act to repeal sections 1.160, 149.011, 149.071, 217.760, 513.653, 558.011, 558.016, 569.025, 569.035, 570.020, 573.503 and 577.023, RSMo 1994, and sections 21.455, 392.540, 407.020, 558.019, 559.021, 559.026, 559.115, 559.630, 559.633, 559.635, 570.030, 570.040, 571.030, 589.400, 589.410, 589.414 and 589.425, RSMo Supp. 1998, relating to crimes and punishment, and to enact in lieu thereof thirty-eight new sections relating to the same subject, with penalty provisions for certain sections.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Schneider	Scott	Sims	Singleton
Staples	Stelman	Stoll	Westfall
Wiggins	Yeckel—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Caskey, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HCS** for **HB 852**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 852

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 852, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 852;
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 852;
3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE: FOR THE HOUSE:

/s/ Harold Caskey	/s/ W. Craig Hosmer
/s/ J. B. Banks	/s/ Steve Gaw
/s/ John E. Scott	/s/ Phil Smith
/s/ Betty Sims	/s/ Michael R. Gibbons
/s/ Roseann Bentley	/s/ Jon Dolan

Senator Caskey moved that the rules be suspended and that the conference committee report be adopted and **CCS** for **SCS** for **HS** for **HCS** for **HB 852** be read the 3rd time and finally passed all in one motion, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	DePasco	Ehlmann	Flotron

Goode	Graves	House	Howard
Jacob	Johnson	Kinder	Klarich
Mathewson	Maxwell	Quick	Russell
Schneider	Scott	Sims	Staples
Stoll	Westfall	Wiggins	Yeckel—28

NAYS—Senators

Clay	Kenney	Mueller	Rohrbach
Singleton	Steelman—6		

Absent—Senators—None

Absent with leave—Senators—None

On motion of Senator Caskey, the conference committee report was adopted and **CCS** for **SCS** for **HS** for **HCS** for **HB 852**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 852

An Act to repeal sections 600.042, 632.483, 632.486, 632.489, 632.492, 632.495, 632.507 and 632.510, RSMo Supp. 1998, relating to civil commitment of sexually violent predators, and to enact in lieu thereof nine new sections relating to the same subject.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Mathewson	Maxwell	Mueller	Quick
Rohrbach	Russell	Schneider	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Goode	Klarich—2
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Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

Senator Schneider moved that the conference committee report on **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, as amended, be taken up for adoption, which motion prevailed.

Senator Schneider offered **SPA 1**:

SENATE PERFECTING AMENDMENT NO. 1

Amend Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 1, 92, 111, 129 and 222, Page 46, Section 455.035, Lines 2-4 of said page, by striking the following: "**Furthermore, the penalty provided by subsection 7 of section 455.085 shall not apply to any person who has not been served with an ex parte order of protection.**"; and

Further amend said bill, page 105, section 7, line 10 of said page, by inserting immediately after said line the following:

"Section 8. Any county, city, town, village or other political subdivision found to have filed a frivolous action against any firearms or ammunition manufacturer, trade association or dealer, shall be liable for all costs, attorneys' fees and other sanctions as the court finds necessary to prevent such future actions by the plaintiff or entities similarly situated."; and

Further amend the title and enacting clause accordingly.

Senator Schneider moved that the rules be suspended and that the conference committee report be adopted, the perfecting amendment be adopted, and **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 1, 92, 111, 129 & 222

An Act to repeal sections 57.130, 88.013, 88.023, 211.031, 211.453, 211.477, 407.025, 455.045, 476.415, 476.681, 476.682, 476.760, 477.087, 478.320, 478.625, 487.090, 491.300, 494.415, 494.445, 494.455, 494.485, 508.190, 511.440, 511.450, 528.620, 550.140 and 550.240, RSMo 1994, and sections 57.280, 105.464, 351.025, 354.065, 452.310, 452.340, 452.400, 452.401, 452.552, 452.554, 455.035, 455.040, 455.050, 455.067, 455.083, 455.205, 476.385, 476.515, 478.001, 478.268, 479.261, 487.020, 488.015, 506.363, 506.369, 506.372, 506.375, 506.390, 514.040, 550.260, 590.140 and 632.492, RSMo Supp. 1998, relating to jurisdiction and procedures of courts, and to enact in lieu thereof sixty-eight new sections relating to the same subject, with an expiration date for a certain section.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Quick	Rohrbach	Russell	Schneider
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins

Yeckel—33

NAYS—Senator Mueller—1

Absent—Senators—None

Absent with leave—Senators—None

The President declared the bill passed.

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

Senator Schneider moved that the vote by

which the bill passed be reconsidered.

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HS** for **HCS** for **SCS** for **SB 394**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HS** for **HCS** for **SCS** for **SB 394**, as amended: Representatives Hoppe, Green, Kelly (27), Marble, Lograsso.

**CONFERENCE COMMITTEE
APPOINTMENTS**

President Pro Tem Quick appointed the following conference committee to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 394**, as amended: Senators Quick, Mathewson, Scott, Sims and Mueller.

PRIVILEGED MOTIONS

Senator Quick, on behalf of the conference committee appointed to act with a like committee from the House on **HS** for **HCS** for **SCS** for **SB 394**, as amended, submitted the following conference committee report:

**CONFERENCE COMMITTEE REPORT ON
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 394**

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House on House Substitute for House Committee Substitute for Senate Committee Substitute for

Senate Bill No. 394, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 394, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 394;

3. That the attached Conference Committee Substitute be adopted.

FOR THE SENATE:

- /s/ Ed Quick
- /s/ Jim Mathewson
- /s/ John E. Scott
- /s/ Betty Sims
- /s/ Walt Mueller

FOR THE HOUSE:

- /s/ Thomas J. Hoppe
- /s/ Tim Green
- Glenda Kelly
- /s/ Gary Marble
- /s/ Don Lograsso

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

YEAS—Senators

Banks	Bland	Caskey	Childers
Clay	DePasco	Ehlmann	Flotron
Goode	Graves	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Maxwell	Mueller	Quick
Rohrbach	Russell	Scott	Sims
Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel—31	

NAYS—Senator Bentley—1

Absent—Senators

Mathewson Schneider—2

Absent with leave—Senators—None

On motion of Senator Quick, CCS for HS for HCS for SCS for SB 394, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 394

An Act to repeal sections 140.110 and 141.080, RSMo 1994, relating to ownership of property, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause for a certain section.

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

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	House	Howard
Jacob	Johnson	Kenney	Kinder
Klarich	Mathewson	Maxwell	Mueller
Quick	Rohrbach	Russell	Scott
Sims	Singleton	Staples	Steelman
Stoll	Westfall	Wiggins	Yeckel—32

NAYS—Senators—None

Absent—Senators

Graves Schneider—2

Absent with leave—Senators—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Scott	Sims	Singleton	Staples
Steelman	Stoll	Westfall	Wiggins
Yeckel—33			

NAYS—Senators—None

Absent—Senator Schneider—1

Absent with leave—Senators—None

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

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

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

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 676**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 676**.

Emergency clause adopted.

PRIVILEGED MOTIONS

Senator Stoll, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 676**, as amended, submitted the following conference committee report:

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 676

Mr. President: Your Conference Committee, appointed to confer with a like committee of the House, on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 676, with Senate Amendments Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18 and 19; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 676, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No.

676; and

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 676, be truly agreed to and finally passed.

FOR THE SENATE: FOR THE HOUSE:

/s/ Stephen Stoll

/s/ Rita D. Days

/s/ Joe Maxwell

/s/ Jim Seigfreid

/s/ Ted House

/s/ Ted Farnen

/s/ John T. Russell

/s/ Matthew Roy Blunt

/s/ Franc Flotron

/s/ Beth Long

Senator Stoll moved that the rules be suspended and that the conference committee report be adopted, **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 676**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 676

An Act to repeal sections 115.065, 115.105, 115.195, 115.199, 115.231, 115.289, 115.325, 115.349, 115.369, 115.375, 115.377, 115.381, 115.437, 115.647, 116.060, 116.080, 116.090, 116.110, 116.120, 116.150, 116.220 and 205.180, RSMo 1994, and sections 105.492, 115.013, 115.019, 115.123, 115.124, 115.151, 115.155, 115.157, 115.158, 115.283, 115.285, 115.351, 115.359, 115.453, 115.507, 115.613, 115.615, 115.621, 115.635, 115.750, 115.755, 115.761, 115.773, 115.776, 115.780, 115.785, 116.030, 116.040, 116.100, 116.130, 116.160, 116.170, 116.175, 116.180, 116.190 and 130.057, RSMo Supp. 1998, relating to elections, and to enact in lieu thereof fifty-eight new sections relating to the same subject, with penalty provisions and an emergency clause for certain sections.

Be read the 3rd time and finally passed and the emergency clause be adopted all in one vote, which motion prevailed by the following vote:

YEAS—Senators

Banks	Bentley	Bland	Caskey
Childers	Clay	DePasco	Ehlmann
Flotron	Goode	Graves	House
Howard	Jacob	Johnson	Kenney
Kinder	Klarich	Mathewson	Maxwell
Mueller	Quick	Rohrbach	Russell
Scott	Sims	Singleton	Staples
Steelman	Stoll	Wiggins	Yeckel—32

NAYS—Senator Westfall—1

Absent—Senator Schneider—1

Absent with leave—Senators—None

The President declared the bill passed.

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

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

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

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 adopted the Conference Committee Report on **HS** for **HCS** for **SS** for **SCS** for **SBs 160** and **82**, as amended, and has taken up and passed **HS** for **HCS** for **SS** for **SCS** for **SBs 160** and **82**, as amended by the conference committee report.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 71**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HS** for **HCS** for **SCS** for **SB 61**, as amended by the conference committee report and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SB 61**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **SCS** for **HCS** for **HB 889**, as amended, and has again taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 889**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SB 394**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SB 394**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended, and has taken up and passed **HS** for **HCS** for **SCS** for **SBs 387, 206** and **131**, as amended by the conference committee report.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **SS** for **SCS** for **SB 19**, as amended, and has taken up and passed **CCS** for **HS** for **SS** for **SCS** for **SB 19**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 328, 87, 100** and **55**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SS** for **SCS** for **SB 335**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SB 335**, as amended by House Perfecting Amendment No. 1.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SB 436**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SB 436**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SS** for **SCS** for **SBs 1, 92, 111, 129** and **222**, as amended by House Perfecting Amendment No. 1.

Bill ordered enrolled.

RESOLUTIONS

Senator Staples offered Senate Resolution No. 926, regarding Georganna Hughes, Ellington, which was adopted.

Senator Staples offered Senate Resolution No. 927, regarding Mark Parker, Ellington, which was adopted.

Senator Caskey offered Senate Resolution No. 928, regarding Devin Moberly, Clinton, which was

adopted.

Senator Caskey offered Senate Resolution No. 929, regarding Travis Smith, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 930, regarding Ty Sanders, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 931, regarding Krista Woirhaye, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 932, regarding John McCoy, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 933, regarding Thea Gillham, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 934, regarding Stephanie Prince, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 935, regarding Jennifer Schantz, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 936, regarding Zach Hilty, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 937, regarding Will Marshall, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 938, regarding Patrick Edgett, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 939, regarding Lyndsey Hodges, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 940, regarding Kristin Strothmann, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 941, regarding Zac Maggi, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 942, regarding Emily Adboler, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 943, regarding Mark Moberly, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 944, regarding Michelle Bancroft, Clinton, which was adopted.

Senator Caskey offered Senate Resolution No. 945, regarding Emily Gabbert, Clinton, which was adopted.

Senator Howard offered Senate Resolution No. 946, regarding Charles Sparks, Malden, which was adopted.

Senator Howard offered Senate Resolution No. 947, regarding the One Hundredth Birthday of Marie Boyts, Advance, which was adopted.

Senator Howard offered Senate Resolution No. 948, regarding Gladys Aubuchon, which was adopted.

Senator Howard offered Senate Resolution No. 949, regarding Dee LaPlant, Piedmont, which was adopted.

Senator Howard offered Senate Resolution No. 950, regarding Pam Birmingham, CNA, which was adopted.

Senator Stoll offered Senate Resolution No. 951, regarding Dr. John T. Shaughnessy, St. Louis, which was adopted.

Senator Stoll offered Senate Resolution No. 952, regarding Kirsten Schultz, St. Louis, which was adopted.

Senator Singleton offered Senate Resolution No. 953, regarding Sue Billingsly, Joplin, which was adopted.

Senator Singleton offered Senate Resolution No. 954, regarding Kristen Tuohy, Racine, which was adopted.

Senator Howard offered Senate Resolution No. 955, regarding the One Hundred Second Birthday of Bryan Swilley, Portageville, which was adopted.

Senator Johnson offered Senate Resolution No. 956, regarding Charles Lau, St. Joseph, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 13, 1999

TO THE SECRETARY OF THE SENATE

90th GENERAL ASSEMBLY

STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 218 entitled:

AN ACT

To repeal sections 174.450 and 174.453, RSMo Supp. 1998, relating to the governing boards of certain state colleges and universities, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

On May 13, 1999, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 218.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City, Missouri

May 13, 1999

TO THE SECRETARY OF THE SENATE

90th GENERAL ASSEMBLY

STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 234 entitled:

AN ACT

To repeal sections 294.011 and 294.030, RSMo Supp. 1998, relating to the department of labor and industrial relations, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause for a certain section.

On May 13, 1999, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 234.

Respectfully submitted,

MEL CARNAHAN

Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City, Missouri
May 13, 1999

Senate Bill No. 276.

Respectfully submitted,
MEL CARNAHAN
Governor

TO THE SECRETARY OF THE SENATE
90th GENERAL ASSEMBLY
STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for Senate Bill
No. 276 entitled:

AN ACT

To repeal sections 205.374 and 360.060, RSMo 1994, and
sections 205.190, 360.015, 360.047 and 360.106, RSMo
Supp. 1998, relating to health and educational facilities,
and to enact in lieu thereof six new sections relating to the
same subject, with an emergency clause for certain
sections.

On May 13, 1999, I approved said House Committee Substitute for

INTRODUCTIONS OF GUESTS

Senator Jacob introduced to the Senate, the
Physician of the Day, Dr. Jerry D. Kennett, M.D.,
Columbia.

Senator Rohrbach introduced to the Senate,
Stacia Schaefer, and her son Max, Jefferson City.

Senator Clay introduced to the Senate, his
daughter, Carol, St. Louis; and Carol was made an
honorary page.

On motion of Senator DePasco, the Senate
adjourned until 3:00 p.m., Tuesday, May 18, 1999.

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