

# Journal of the Senate

SECOND REGULAR SESSION

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SEVENTY-SECOND DAY—FRIDAY, MAY 12, 2006

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The Senate met pursuant to adjournment.

Senator Dougherty in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore nothing should give comfort and joy to those who love you as much as knowing that your will and purposes are accomplished in them.” (Thomas a Kempis)

Gracious God, this is it; our last day to try to get a lot done in a tight amount of time. And whether we get that last minute bill before our body or last ditch effort to pass what we consider important legislation, let us be mindful that our comfort and joy comes from our relationship with You and our efforts to follow Your lead and accomplish it in what we have done here, for Your will and honor are more important than anything else. And may we all know Your blessings this day and end the day in praise and Alleluias. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty

Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Stouffer	Vogel
Wheeler	Wilson—34		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Champion offered Senate Resolution No. 3114, regarding the Rachel Donelson Chapter of the National Society of Daughters of the American Revolution, Springfield, which was adopted.

Senator Wilson offered Senate Resolution No. 3115, regarding Michael L. Charles, Kansas City, which was adopted.

Senator Barnitz offered Senate Resolution No. 3116, regarding Barbara Schaller, Belle, which was adopted.

Senator Barnitz offered Senate Resolution No.

3117, regarding Laura Hawley Gray, Salem, which was adopted.

Senator Scott offered Senate Resolution No. 3118, regarding Elizabeth Pace, Bolivar, which was adopted.

Senator Loudon offered Senate Resolution No. 3119, regarding Jacob Lyonfields, Manchester, which was adopted.

Senator Loudon offered Senate Resolution No. 3120, regarding Elsie Lokey, which was adopted.

Senator Loudon offered Senate Resolution No. 3121, regarding Judith L. Sanford, which was adopted.

Senator Engler offered Senate Resolution No. 3122, regarding the Saint Mary post office, which was adopted.

Senator Engler offered Senate Resolution No. 3123, regarding Ronald L. Sohn, which was adopted.

Senator Engler offered Senate Resolution No. 3124, regarding Karen Basden, which was adopted.

Senator Crowell offered Senate Resolution No. 3125, regarding Kassy Boyd, Fredericktown, which was adopted.

Senator Dougherty offered Senate Resolution No. 3126, regarding Michael Andrew Freeman, Springfield, which was adopted.

Senator Dougherty offered Senate Resolution No. 3127, regarding Melissa Horn, which was adopted.

Senator Crowell offered Senate Resolution No. 3128, regarding Kristi Hovis, Fredericktown, which was adopted.

Senator Klindt offered Senate Resolution No. 3129, regarding Joyce Elaine Clark, Maysville, which was adopted.

Senator Bartle offered Senate Resolution No. 3130, regarding the Fiftieth Birthday of Sandra

Louise Kenney, Lee's Summit, which was adopted.

Senator Green offered Senate Resolution No. 3131, regarding Ofelia Manalang, Saint Louis, which was adopted.

Senator Cauthorn offered Senate Resolution No. 3132, regarding Ray Ford, which was adopted.

Senator Stouffer offered Senate Resolution No. 3133, regarding Mr. and Mrs. Jeremiah Johnson, which was adopted.

Senator Stouffer offered Senate Resolution No. 3134, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Harold Dooley, Carrollton, which was adopted.

Senator Scott offered Senate Resolution No. 3135, regarding Shaelyn McClanahan, which was adopted.

Senator Wilson moved that **SR 2741** be taken up for adoption, which motion prevailed.

On motion of Senator Wilson, **SR 2741** was adopted.

Senator Shields announced that photographers from the Associated Press had been given permission to take pictures in the Senate Chamber today.

### CONCURRENT RESOLUTIONS

Senator Purgason moved that **SCR 31**, with **HCS**, be taken up for adoption, which motion prevailed.

**HCS** for **SCR 31** was taken up.

President Kinder assumed the Chair.

Senator Purgason moved that **HCS** for **SCR 31** be adopted.

At the request of Senator Purgason, his motion to adopt **HCS** for **SCR 31** was withdrawn.

Senator Shields announced that photographers from KRCG-TV had been given permission to take pictures in the Senate Chamber today.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 1511**, with **SCS**, entitled:

An Act to amend chapter 161, RSMo, and to enact in lieu thereof two new sections relating to early childhood education.

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

**SCS** for **HCS** for **HB 1511**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1511

An Act to repeal section 160.930, RSMo, and to enact in lieu thereof two new sections relating to early childhood education.

Was taken up.

Senator Shields moved that **SCS** for **HCS** for **HB 1511** be adopted, which motion failed.

On motion of Senator Shields, **HCS** for **HB 1511** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Days	Dougherty	Engler
Gibbons	Goodman	Graham	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Mayer	Nodler	Rupp
Scott	Shields	Stouffer	Vogel
Wheeler	Wilson—30		

NAYS—Senators

Purgason      Ridgeway—2

Absent—Senators

Crowell      Loudon—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**PRIVILEGED MOTIONS**

Senator Nodler, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 590**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 590

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, and House Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 590;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 590;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, be Third Read and Finally Passed.

FOR THE SENATE:      FOR THE HOUSE:

/s/ Gary Nodler            /s/ Gayle Kingery

/s/ John Cauthorn        /s/ Carl Bearden

/s/ Robert Mayer        /s/ David Pearce

/s/ Rita Heard Days     /s/ Rachel Bringer

/s/ Yvonne S. Wilson     Clint Zweifel

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

At the request of Senator Nodler, the motion to adopt the conference committee report was withdrawn.

Senator Shields announced that photographers from KY3-TV, Kansas City Star and the Suburban Journal of St. Charles County had been given permission to take pictures in the Senate Chamber today.

Senator Nodler moved that the Conference Committee Report on **HCS for SS for SCS for SB 590**, as amended, be taken up, which motion prevailed.

Senator Griesheimer assumed the Chair.

Senator Nodler moved that the Conference Committee Report on **HCS for SS for SCS for SB 590**, as amended, be adopted.

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

Senator Koster assumed the Chair.

Senator Nodler moved that the Conference Committee Report on **HCS for SS for SB 696**, as amended, be taken up.

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

Senator Nodler moved that the Conference

Committee Report on **HCS for SS for SCS for SB 590**, as amended, be taken up, which motion prevailed.

Senator Nodler moved that the above Conference Committee Report be adopted.

At the request of Senator Nodler, 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 has taken up and passed **HCS for SS for SCS for SB 1229**, entitled:

An Act to repeal sections 135.327 and 135.333, RSMo, and to enact in lieu thereof two new sections relating to tax credits for children in crisis.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 780**, entitled:

An Act to amend chapter 386, RSMo, by adding thereto one new section relating to the public counsel.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 1064**, entitled:

An Act to repeal sections 226.527, 226.530, and 226.580, RSMo, and to enact in lieu thereof three new sections relating to outdoor advertising.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1064, Page 2, Section 226.527, Line 33, by inserting after said line the following:

**“A dispute between a property owner and a bill board sign company shall not present a liability issue for a zoning authority.”**; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 953**, entitled:

An Act to repeal sections 374.046, 381.003, 381.009, 381.011, 381.015, 381.018, 381.021, 381.022, 381.025, 381.028, 381.031, 381.032, 381.035, 381.038, 381.041, 381.042, 381.045, 381.048, 381.051, 381.052, 381.055, 381.058, 381.061, 381.062, 381.065, 381.068, 381.071, 381.072, 381.075, 381.078, 381.081, 381.085, 381.088, 381.091, 381.092, 381.095, 381.098, 381.101, 381.102, 381.105, 381.108, 381.111, 381.112, 381.115, 381.118, 381.121, 381.122, 381.125, 381.131, 381.141, 381.151, 381.161, 381.171, 381.181, 381.191, 381.201, 381.211, 381.221, 381.231, 381.241, 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227, RSMo, and section 381.410 as enacted by conference committee substitute for senate bill no. 664, eighty-eighth general assembly, second regular session, and section 381.412 as enacted by house committee substitute for senate bill no. 148, eighty-ninth general assembly, first regular session, and sections 381.410 and 381.412 as

enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, and to enact in lieu thereof sixty-three new sections relating to the regulation of title insurance and service contracts, with penalty provisions and an effective date for certain sections.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 953, Page 1, In the Title, Line 17, by deleting the words “and service contracts”; and

Further amend said bill, Page 3, Section 374.046, Line 31, by deleting the phrase “**is about to engage**” and inserting in lieu thereof the phrase “**has taken a substantial step toward engaging**”; and

Further amend said bill, Page 3, Section 374.046, Line 33, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 3, Section 374.046, Line 35, by deleting the word “**aided,**” and inserting in lieu thereof the words “**aided or**”; and

Further amend said bill, Page 3, Section 374.046, Line 35, by deleting the phrase “**, or is about to materially aid**”; and

Further amend said bill, Page 3, Section 374.046, Line 37, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 7, Section 374.047, Line 5, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 7, Section 374.048, Line 1, by deleting the phrase “**is about to engage**” and inserting in lieu thereof the phrase “**has taken a substantial step toward engaging**”; and

and

Further amend said bill, Page 7, Section 374.048, Lines 3 and 4, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 8, Section 374.048, Line 5, by deleting the phrase “**is about to engage**” and inserting in lieu thereof the phrase “**has taken a substantial step toward engaging**”; and

Further amend said bill, Page 8, Section 374.048, Line 7, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 9, Section 374.048, Line 46, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 9, Section 374.049, Line 2, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 9, Section 374.049, Line 12, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 10, Section 374.049, Line 28, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 10, Section 374.049, Line 43, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Page 11, Section 374.055, Line 3, by deleting the phrase “**except sections 374.700 to 374.789,**”; and

Further amend said bill, Pages 12 to 17, Section 381.009, Lines 1 to 198, by deleting all of said lines; and

Further amend said bill, Pages 17 and 18, Section 381.015, Lines 1 to 24, by deleting all of said lines; and

Further amend said bill, Page 22, Section 381.025, Lines 1 to 16, by deleting all of said lines; and

Further amend said bill, Page 22, Section 381.026, Lines 1 to 8, by deleting all of said lines; and

Further amend said bill, Pages 22 and 23, Section 381.027, Lines 1 to 9, by deleting all of said lines; and

Further amend said bill, Pages 23 and 24, Section 381.028, Lines 1 to 42, by deleting all of said lines; and

Further amend said bill, Pages 24 and 25, Section 381.029, Lines 1 to 29, by deleting all of said lines; and

Further amend said bill, Page 25, Section 381.032, Lines 1 to 18, by deleting all of said lines; and

Further amend said bill, Pages 25 and 26, Section 381.033, Lines 1 to 18, by deleting all of said lines; and

Further amend said bill, Page 26, Section 381.034, Lines 1 to 12, by deleting all of said lines; and

Further amend said bill, Pages 26 and 27, Section 381.038, Lines 1 to 42, by deleting all of said lines; and

Further amend said bill, Pages 27, Section 381.045, Line 1, by deleting the phrase “**is about to engage**” and inserting in lieu thereof the phrase “**has taken a substantial step toward engaging**”; and

Further amend said bill, Page 27, Section 381.045, Line 3, by deleting the word “**aided,**” and inserting in lieu thereof the words “**aided or**”; and

Further amend said bill, Page 27, Section 381.045, Line 3, by deleting the phrase “**, or is about to materially aid**”; and

Further amend said bill, Page 28, Section 381.045, Lines 10 and 11, by deleting the phrase “**is about to engage**” and inserting in lieu thereof the phrase “**has taken a substantial step toward engaging**”; and

Further amend said bill, Page 28, Section 381.045, Line 12, by deleting the word “**aided,**” and inserting in lieu thereof the words “**aided or**”; and

Further amend said bill, Page 28, Section 381.045, Line 12, by deleting the phrase “, **or is about to materially aid**”; and

Further amend said bill, Pages 28 and 29, Section 381.058, Lines 1 to 33, by deleting all of said lines; and

Further amend said bill, Page 33, Section 381.112, Lines 1 to 3, by deleting all of said lines; and

Further amend said bill, Pages 33 and 34, Section 381.113, Lines 1 to 23, by deleting all of said lines; and

Further amend said bill, Pages 37 and 38, Section 381.410, Lines 1 to 34, by deleting all of said lines; and

Further amend said bill, Pages 38 and 39, Section 381.412, Lines 1 to 22, by deleting all of said lines; and

Further amend said bill, Pages 39 to 47, Sections 385.200 to 385. 212, by deleting all of said sections; and

Further amend said bill, Pages 47 55, Sections 385.300 to 385.312, by deleting all of said sections; and

Further amend said bill, Page 61, Section 381.021, Lines 1 to 14, by deleting all of said lines; and

Further amend said bill, Pages 64 to 66, Section 381.031, Lines 1 to 113, by deleting all of said lines; and

Further amend said bill, Pages 66 and 67, Section 381.032, Lines 1 to 34, by deleting all of said lines; and

Further amend said bill, Pages 71 and 72, Section 381.071, Lines 1 to 39, by deleting all of said lines; and

Further amend said bill, Pages 86 to 102, Sections 381.131 to 407.1227, by deleting all of said sections; and

Further amend said bill, Page 102, Section B, Lines 1 to 15, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 1175**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for community center development.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1175, Page 1, In the Title, Lines 2 and 3, by deleting the words “a sales tax for community center development” and inserting in lieu thereof the following: “taxation in political subdivisions”; and

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

**“67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this**

section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a sales tax at a rate of ..... (insert rate of percent) percent, with half of the revenue from the tax to be used solely to fund senior services provided by the county and half of the revenue from the tax to be used solely to fund youth programs provided by the county?

YES       NO

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

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of

the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county which imposed the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The county may adopt rules for the internal collection of such tax by the county officers usually responsible for collection and administration of county taxes; or

(2) The county may enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. In the event the county enters into an agreement with the director of revenue for the collection of the tax, on or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Senior Services and Youth Programs Sales Tax Trust Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county for



erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285, RSMo, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.524, RSMo, governing the state sales tax, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption

certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525, RSMo.

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

YES       NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority

of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county

and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission.”; and

Further amend said title, enacting clause and intersectional references accordingly.

#### HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1175, Section A, Page 1, Line 2 by inserting immediately after said Line the following:

“67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations

of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions **(2) and (5)** of section 137.100, RSMo. Those exempt pursuant to subdivisions **(2) and (5)** of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions **(2) and (5)** of section 137.100, RSMo. Those exempt pursuant to subdivisions **(2) and (5)** of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for

public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; and

(k) Any other useful, necessary, or desired improvement;

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk cafe tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and

economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571

shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.”; and

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

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1175, Section 67.2715, Page 2, Line 35, by inserting the word “**and**” after the word “**center**”; and

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

#### HOUSE AMENDMENT NO. 1 TO

#### HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1175, Page 2, Line 3 by inserting after the word “**city**” the following: “, **including the hiring of police officers and prosecuting attorneys**”; and

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

#### HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1175, Page 1, Lines 2 and 3 of the title by deleting the words “for community center development”; and

Further amend said bill, Page 4, Section 67.2715, Line 117, by inserting after said line the following:

**“92.500. 1. The governing body of any city not within a county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one-half of one percent, and shall be imposed solely for the purpose of providing revenues for the operation of public safety departments, including police and fire departments, and for compensation, pension programs, and health care for employees and pensioners of the public safety departments. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section.**

**2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:**

**Shall ..... (insert the name of the city) impose a sales tax at a rate of ..... (insert rate of percent) percent, solely for the purpose of providing revenues for the operation of public safety departments of the city?**

YES       NO

**If you are in favor of the question, place an "X"**

in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Public Safety Protection Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. The director shall keep accurate records of the amounts in the fund, and such records shall be open to the inspection of the officers of such city and to the public. Not later than the tenth day of each month, the director shall distribute all moneys deposited in the fund during the preceding

month to the city. Such funds shall be deposited with the treasurer of the city, and all expenditures of moneys from the fund shall be by an appropriation ordinance enacted by the governing body of the city.

4. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the city may authorize the use of a bracket system similar to that authorized in section 144.285, RSMo, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.524, RSMo, governing the state sales tax, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales

tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for the tax and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.525, RSMo.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of providing revenues for the operation of public safety departments of the city?

YES       NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority

of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit

**the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.”; and**

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SBs 567 and 792**, entitled:

An Act to repeal sections 290.145, 376.421, 376.429, and 379.952, RSMo, and to enact in lieu thereof five new sections relating to health insurance coverage.

With House Amendment No. 1.

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 567 & 792, Section 376.429, Page 9, Line 76 by inserting after said Line the following:

**“11. The provisions of this section regarding phase II of a clinical trial shall not apply automatically to an individually underwritten health benefit plan, but shall be an option to any such plan.”; and**

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

In which the concurrence of the Senate is respectfully requested.

**PRIVILEGED MOTIONS**

Senator Champion moved that **SS for SCS for SB 1229**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SS for SCS for SB 1229**, entitled:  
 HOUSE COMMITTEE SUBSTITUTE FOR  
 SENATE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 1229

An Act to repeal sections 135.327 and 135.333, RSMo, and to enact in lieu thereof two new sections relating to tax credits for children in crisis.

Was taken up.

Senator Champion moved that **HCS for SS for SCS for SB 1229** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Stouffer	Vogel
Wheeler	Wilson—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Champion, **HCS for SS for SCS for SB 1229** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Rupp



Scott                Shields                Stouffer                Vogel  
Wheeler                Wilson—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Wheeler assumed the Chair.

Senator Klindt moved that **SB 780**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SB 780**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 780

An Act to amend chapter 386, RSMo, by adding thereto one new section relating to the public counsel.

Was taken up.

Senator Klindt moved that **HCS for SB 780** be adopted.

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

Senator Stouffer moved that **SCS for SB 1064**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SCS for SB 1064**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 1064

An Act to repeal sections 226.527, 226.530, and 226.580, RSMo, and to enact in lieu thereof three new sections relating to outdoor advertising.

Was taken up.

Senator Stouffer moved that **HCS** for **SCS** for **SB 1064**, as amended, be adopted.

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

Senator Shields announced that photographers from KMIZ-TV had been given permission to take photographs in the Senate Chamber today.

Senator Engler moved that **SS for SCS for SB 953**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SS for SCS for SB 953**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 953

An Act to repeal sections 374.046, 381.003, 381.009, 381.011, 381.015, 381.018, 381.021, 381.022, 381.025, 381.028, 381.031, 381.032, 381.035, 381.038, 381.041, 381.042, 381.045, 381.048, 381.051, 381.052, 381.055, 381.058, 381.061, 381.062, 381.065, 381.068, 381.071, 381.072, 381.075, 381.078, 381.081, 381.085, 381.088, 381.091, 381.092, 381.095, 381.098, 381.101, 381.102, 381.105, 381.108, 381.111, 381.112, 381.115, 381.118, 381.121, 381.122, 381.125, 381.131, 381.141, 381.151, 381.161, 381.171, 381.181, 381.191, 381.201, 381.211, 381.221, 381.231, 381.241, 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227, RSMo, and section 381.410 as enacted by conference committee substitute for senate bill no. 664, eighty-eighth general assembly, second

regular session, and section 381.412 as enacted by house committee substitute for senate bill no. 148, eighty-ninth general assembly, first regular session, and sections 381.410 and 381.412 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, and to enact in lieu thereof sixty-three new sections relating to the regulation of title insurance and service contracts, with penalty provisions and an effective date for certain sections.

Was taken up.

Senator Engler moved that **HCS** for **SS** for **SCS** for **SB 953** be adopted.

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

Senator Vogel moved that **SB 990**, with **HCA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

**HCA 1** was taken up.

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

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Stouffer	Vogel
Wheeler	Wilson—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Vogel, **SB 990**, as amended by **HCA 1**, was read the 3rd time and

passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Stouffer	Vogel
Wheeler	Wilson—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

**CONFERENCE COMMITTEE REPORTS**

Senator Crowell, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1306**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1306**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No.

1306, with Senate Amendment Nos. 1, 2, 3, 4, 6, and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1306, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1306;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1306, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jason Crowell

/s/ Norma Champion

/s/ Gary Nodler

/s/ Harry Kennedy

/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Todd Smith

/s/ Ward Franz

/s/ James Viebrock

/s/ Patricia M. Yaeger

/s/ John Burnett

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

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

### PRIVILEGED MOTIONS

Senator Stouffer moved that **SCS** for **SB 1175**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SCS** for **SB 1175**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 1175

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales

tax for community center development.

Was taken up.

Senator Stouffer moved that **HCS** for **SCS** for **SB 1175**, as amended, be adopted.

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

### CONFERENCE COMMITTEE REPORTS

Senator Nodler moved that the Conference Committee Report on **HCS** for **SS** for **SB 696**, as amended, be taken up, which motion prevailed.

Senator Nodler moved that the above Conference Committee Report be adopted.

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

Senator Koster assumed the Chair.

### HOUSE BILLS ON THIRD READING

**HB 1884**, introduced by Representative Behnen, entitled:

An Act to repeal sections 339.509, 339.519, and 339.525, RSMo, and to enact in lieu thereof three new sections relating to real estate appraisers.

Was taken up by Senator Gross.

Senator Gross moved that **HB 1884** be read the 3rd time and passed.

At the request of Senator Gross, **HB 1884** was placed on the Informal Calendar.

**HCS** for **HB 1135**, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to commercial zones.

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

Senator Stouffer moved that **HCS** for **HB 1135** be read the 3rd time and passed.

At the request of Senator Stouffer, the above

motion was withdrawn.

**HB 1424**, introduced by Representative Franz, entitled:

An Act to repeal sections 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, 140.730, and 165.071, RSMo, and to enact in lieu thereof fifteen new sections relating to collection of taxes.

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

Senator Purgason moved that **HB 1424** be read the 3rd time and passed.

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

President Pro Tem Gibbons assumed the Chair.

**HB 1144**, introduced by Representative May, et al, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the official state grass.

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

Senator Clemens moved that **HB 1144** be read the 3rd time and passed.

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

**HCS for HB 1037**, entitled:

An Act to repeal sections 260.360 and 260.800, RSMo, and to enact in lieu thereof two new sections relating to environmental control.

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

Senator Klindt moved that **HCS for HB 1037** be read the 3rd time and passed.

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

**HB 1577**, introduced by Representative Pollock, et al, entitled:

An Act to repeal sections 196.931, 196.949, and 196.951, RSMo, and to enact in lieu thereof three new sections relating to the state milk board.

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

Senator Clemens moved that **HB 1577** be read the 3rd time and passed.

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

**HB 1722**, introduced by Representative Sutherland, et al, entitled:

An Act to repeal section 253.095, RSMo, and to enact in lieu thereof one new section relating to park services.

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

Senator Mayer moved that **HB 1722** be read the 3rd time and passed.

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

**HB 1833**, introduced by Representative Wood, et al, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state invertebrate.

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

Senator Goodman moved that **HB 1833** be read the 3rd time and passed.

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

**HB 1988**, introduced by Representative Wagner, et al, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official game animal of Missouri.

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

Senator Barnitz moved that **HB 1988** be read the 3rd time and passed.

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

**PRIVILEGED MOTIONS**

Senator Dougherty moved that **SCS for SBs 567 and 792**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SCS for SBs 567 and 792**, as amended, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 567 and 792**

An Act to repeal sections 290.145, 376.421, 376.429, and 379.952, RSMo, and to enact in lieu thereof five new sections relating to health insurance coverage.

Was taken up.

Senator Dougherty moved that **HCS for SCS for SBs 567 and 792**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Stouffer	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dougherty, **HCS for SCS for SBs 567 and 792**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Stouffer	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

President Pro Tem Gibbons declared the bill passed.

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

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

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

Bill ordered enrolled.

**HOUSE BILLS ON THIRD READING**

**HB 1088**, introduced by Representative Schaaf, et al, entitled:

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to insurance co-payments for prescription drugs.

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

Senator Scott moved that **HB 1088** be read the 3rd time and passed.

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

**HCS for HB 1366**, entitled:

An Act to repeal section 320.300, RSMo, and to enact in lieu thereof one new section relating to volunteer fire protection associations.

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

Senator Engler moved that **HCS for HB 1366** be read the 3rd time and passed.

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

**HB 1905**, introduced by Representative Jetton, et al, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to supplemental food stamp assistance.

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

Senator Champion moved that **HB 1905** be read the 3rd time and passed.

At the request of Senator Champion, **HB 1905** was placed on the Informal Calendar.

### COMMUNICATIONS

Senator Shields submitted the following:

Mr. President: I would like to have it noted in the journal that the Secretary of the Senate's office has attempted to deliver Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 1742 as third read and finally passed by the Senate five times today and each time the House of Representatives has refused to accept physical custody of the bill.

/s/ Charlie Shields

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 931**.

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 919**.

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 SB 870**.

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 881**.

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 964**.

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 No. 2 for SB 1003**.

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 1057**.

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 **SB 1060**.

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 1139**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 1197**.

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 **SB 1059**.

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 1208**.

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 1216**.

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 1146**.

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 **SJR 26**.

Joint Resolution 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 **HCS** for **SS No. 2** for **SCS** for **SBs 1014** and **730**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SS No. 2** for **SCS** for **SBs 1014** and **730**.

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 **SCS** for **HCS** for **HB 1485** and has taken up and passed **SCS** for **HCS** for **HB 1485**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1380** and has taken up and passed **SCS** for **HCS** for **HB 1380**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS**, as amended to **HCS** for **HB 1837** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1837**, 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 **HCS** for **SCS** for **SBs 1001**, **896** and **761**, as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SBs 1001**, **896** and **761**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 894**, as amended and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 894**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 718**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HJR 55** and has taken up and passed **HJR 55**, 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 **HCS** for **SCS** for **SB 616**, as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 616**.

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 **HCS** for **SCS** for **SB 932** and has taken up and passed **CCS No. 2** for **HCS** for **SCS** for **SB 932**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 756** and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 756**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 1017**, as amended and has taken up and passed **CCS** for **HCS** for **SB 1017**.

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 **SS** for **SCS** for **HCS** for **HB 1026** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1026**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS No. 2**, as amended for **HCS** for **HB 1149** and has taken up and passed **SCS No. 2** for **HCS** for **HB 1149**, 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 **SCS** for **HCS** for **HB 978** and has taken up and passed **SCS** for **HCS** for **HB 978**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **CCS** for **SS No. 2** for **SCS** for **HCS** for **HB 1456** and has



taken up and adopted **SS No. 2** for **SCS**, as amended for **HCS** for **HB 1456** and has again taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 1456**, as amended.

On motion of Senator Shields, the Senate adjourned until 10:00 a.m., Wednesday, May 17, 2006.

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