

Journal of the Senate
NINETY-SIXTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND REGULAR SESSION
VETO SESSION

WEDNESDAY, SEPTEMBER 12, 2012

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

Gracious God, we gather to address the issue of vetoed bills and to determine their fate. So bless us with wisdom and understanding so our decisions are in keeping with Your will. And Lord, we who serve the public interest are perhaps more sensitive to the attack on the American Consulate and so we grieve at the deaths of those who served there. We pray for their families that You may comfort them and that we may make an appropriate response to this violence.

And we pray that You might bless us and make us mindful that this may be the last time we see each other and work together. So we ask Your blessings on the work we have done together that they may be a blessing to our people. And as we gather for our final goodbyes may Your graciousness be experienced and our farewells meaningful and significant to our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

Present—Senators

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

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The Lieutenant Governor was present.

Senator Dempsey announced photographers from KRCG-TV and the Gasconade County Republican were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-sixth General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the Ninety-sixth General Assembly.

On motion of Senator Dempsey, the Senate recessed until 12:40 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate bills, were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 566, entitled:

AN ACT

To amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

I disapprove of Senate Committee Substitute for Senate Bill No. 566. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 566 would introduce confusion and conflict into the process by which rabies is detected and treated, a process which is already provided for in Missouri law and which effectively protects Missourians who may have been exposed to rabies.

Rabies is an invariably fatal disease for humans unless timely treatment is administered. A clear, quick, and comprehensive detection process, which includes testing of suspect animals, is therefore critical. Missouri has such a process. Section 322.140, RSMo, sets forth a multidisciplinary approach in which the Missouri Department of Health and Senior Services has the authority, in consultation with veterinarians, local law enforcement, health officials, and health care providers, to confiscate a suspect animal and order testing or other measures deemed appropriate. The scientifically-accepted method for definitively confirming rabies in an animal requires examining brain segments, a process that necessitates the death of the suspect animal. Under current law, public health veterinarians and communicable disease epidemiologists at the Department discuss each case with local health officials, veterinarians, and the medical doctors treating people who may have been exposed to rabies. This multidisciplinary approach properly takes into account both the health of the patient and the condition of the animal. The approach also adequately protects public health.

Senate Committee Substitute for Senate Bill No. 566, by contrast, creates an ambiguous, competing process for detecting and treating rabies,

one that does not supplant what is already provided for in law. By itself, this new and unnecessary process is inadequate to protect the public. Paired with the already existing process, the new provisions will create unwarranted – and most certainly unintended – consequences for Missourians who may become exposed to rabies.

This legislation would give a veterinarian the unilateral authority to determine whether a suspect animal should be euthanized when the veterinarian “deems it necessary for the immediate health of the injured person.” Replacing a multidisciplinary team with a single decision-maker would place Missourians who may have been exposed to rabies at significant risk. Veterinarians play an important role in Missouri’s system of detecting rabies. But just as a medical doctor lacks the expertise necessary to assess a suspect animal, a veterinarian lacks the expertise necessary to assess the condition of the potentially infected person. That is why the multidisciplinary approach provided by the current law must be preserved.

Moreover, the legislation uses ambiguous terms in establishing this new process. For instance, the “reasonable suspicion” that would trigger the process is undefined and will likely lead to confusion. Similarly, the “proper authorities” to which the owner of a suspect animal must surrender the animal are not specified. Rather, a non-exhaustive list of possible examples – law enforcement officer, public health officer, or veterinarian – is included. For a disease that is fatal without the administration of swift treatment, detection should require a more certain process, like the one currently in place. This legislation undermines the existing process and exposes Missourians to the risk of not receiving life-saving treatment. There is no compelling justification for disrupting the system already provided for in Missouri law.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 566 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 entitled:

AN ACT

To repeal sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 67.1890, 67.1892, 67.1896, 67.1898, 78.090, 79.070, 99.845, 115.091, 115.123, 115.241, and 115.637, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with existing penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 attempts to amend section 67.1880.2 regarding when and how a property tax that is imposed by the voters of a law enforcement district may become effective. The bill states that such a tax “shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax” (emphasis added). This language makes the effectiveness of the property tax contingent on an event that can never occur – the adoption of a local sales tax that is not provided for in statute. In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

Journal of the Senate

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 607 entitled:

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

I disapprove of Senate Substitute for Senate Bill No. 607. My reasons for disapproval are as follows:

Senate Substitute for Senate Bill No. 607 addresses the regulation of outdoor advertising. The provisions in this legislation are similar to those contained in Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402; however, the provisions are not identical and, therefore, approval of both bills would result in confusion. Because I have approved Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, approval of Senate Substitute for Senate Bill No. 607 would be both unnecessary and harmful to the regulation of outdoor advertising. My disapproval of Senate Substitute for Senate Bill No. 607 will preserve clarity on the regulation of outdoor advertising.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 607 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 entitled:

AN ACT

To repeal sections 30.270, 34.070, 178.530, 228.368, 301.600, 306.400, 339.500, 339.501, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.525, 339.527, 339.529, 339.532, 339.533, 339.535, 339.537, 339.541, 339.543, 339.545, 339.549, 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135, 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, 339.1240, 362.333, and 400.9-311, RSMo, and to enact in lieu thereof thirty-four new sections relating to financial transactions, with penalty provisions and an emergency clause for a certain section.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635. My reasons for disapproval are as follows:

The Missouri Constitution requires that legislation adhere to certain procedural limitations in order “to keep individual members of the legislature and the public fairly apprised of the subject matter of pending laws . . .” as well as to prevent legislative log-rolling – where a number of unrelated amendments are cobbled together to garner support for provisions that could not alone command a majority. *Stroh Brewery Co. v. State*, 954 S.W.2d 323, 325-26 (Mo. banc 1997); *Hammerschmidt v. Boone County*, 877 S.W.2d 98 (Mo. banc 1994). These constitutional limitations are about more than procedure, they are safeguards on the democratic process.

The first such limitation is that “no bill shall be so amended in its passage through either house as to change its original purpose,” which is established by a bill’s “earliest title and contents.” *Mo. Const. Art. III, Sec. 21*; *Legends Bank v. State of Missouri*, 361 S.W.3d 383, 386 (Mo. banc 2012). Notably, the content of the introduced version of this legislation was very much limited to the narrowly stated title of the introduced

bill (i.e., “securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions”).

Throughout the legislative process, however, 33 new provisions were added. And while the original purpose requirement does not prohibit subsequent additions or changes, it does restrict “the introduction of matter that is not germane to the object of the legislation or that is unrelated to its original subject.” *Stroh*, 954 S.W.2d at 326. Regrettably, several of these new provisions deal with matters unrelated to the safeguarding of deposited public funds, to include the treatment of damages in a civil case and procedures for perfecting liens on refinanced motor vehicles and watercraft. Because these matters are outside the bounds of the legislation’s original purpose, Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 offends the tenets of Article III, Section 21 of the Missouri Constitution.

Next comes Article III, section 23, of the Missouri Constitution, which contains two related prohibitions – the first precludes a bill from containing more than one subject, and the second requires that single subject to be clearly expressed in the bill’s title. The “single subject” test is whether all provisions of the bill “fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose.” *Hammerschmidt*, 877 S.W.2d at 102. Because a bill’s “single subject” is discerned from the title of the bill’s final version, the question then becomes whether all of the bill’s 34 sections relate to “financial transactions.” Indeed they do not. One provision deals with the responsibility of homeowners to maintain private roads, while another establishes standards for licensing real estate appraisers. Even applying the “single subject” test as broadly as the law allows is not enough to encompass these wholly unrelated matters.

Nor can it be said that the title of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 would be able to withstand “clear title” scrutiny. “The touchstone of the clear title rule,” which is to ensure that the reader is not misled, “is that the bill’s title cannot be underinclusive.” *C.C. Dillon Company v. City of Eureka*, 12 S.W.3d 322, 329 (Mo. banc. 2000). With that in mind, no reasonable person would anticipate that legislation entitled “relating to financial transactions” would contain 23 pages on real estate appraisers or three pages on the maintenance of private roads.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 715 entitled:

AN ACT

To repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

I disapprove of Senate Committee Substitute for Senate Bill No. 715. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 715 would repeal a complaint procedure contained in section 40.435, RSMo. This procedure has been available for nearly thirty years and, while there are other grievance mechanisms available to the members of the Missouri National Guard, a particular situation or issue may justify the use of this reporting process. Therefore, absent a showing that this procedure lacks utility or is otherwise deleterious to the welfare of the Missouri National Guard, this long-standing process should remain an option available to our service men and women.

Senate Committee Substitute for Senate Bill No. 715 also provides the Adjutant General with the discretion to waive the maximum age limitation for members of the Missouri Reserve Military Force. This will provide the Adjutant General with the flexibility necessary to recruit a reserve force that possesses the skills and abilities necessary to assist Missourians in a time of need. However, that provision is duplicative of a provision contained in House Bill No. 1105, which I approved.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 715 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 entitled:

AN ACT

To repeal section 376.1199, RSMo, and to enact in lieu thereof two new sections relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749. My reasons for disapproval are as follows:

Missouri law for over a decade has effectively provided strong religious protections, which I support, giving employers the freedom to abstain from providing or paying for contraceptive coverage in their health plans “if the use or provision of such contraceptives is contrary to the moral, ethical or religious beliefs or tenets of such person or entity.” These protections are not limited to religious or religious affiliated organizations. Instead, existing Missouri law provides that any employer, not just religious related entities, with firmly held objections to contraceptives may decline contraceptive coverage. Similarly, these same protections extend to employees who have a moral, ethical or religious opposition to the use or provision of contraceptives regardless of whether their employer is a religious or religious affiliated organization. Nothing in Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 would enhance these substantive religious protections that have been in place and afforded to employees and employers and will remain part of Missouri law after my action today.

However, Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 contains a provision that would undermine the priority, found in current law, placed on the moral, ethical or religious beliefs of both employees and employers. Under that provision, an insurance company would be allowed to impose its will, and deny inclusion of contraceptive coverage, even if that position is inconsistent with the rights and beliefs of the employee or employer. The moral, ethical and religious beliefs of Missourians, that are currently honored, should not become secondary to the will of an insurance company. Such an effort would signal a retreat from the liberties enjoyed by employers and employees under current law.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 837 entitled:

AN ACT

To repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

I disapprove of Senate Committee Substitute for Senate Bill No. 837. My reasons for disapproval are as follows:

Two key components to a successful future for Missouri's agricultural economy are the wine and grape industry and our entrepreneurial soybean growers. The changes Senate Committee Substitute for Senate Bill No. 837 would make to Missouri's franchise law threaten to put at substantial risk the gains made by Missouri agriculture since Prohibition, could jeopardize the future growth of Missouri's wineries, and will make it harder for our soybean growers to develop a market for Missouri-made soy-based beer.

Wholesalers are an important component to Missouri's comprehensive three-tiered system of alcoholic beverage regulation. Effective wholesalers benefit suppliers by providing distribution opportunities that can enhance suppliers' market share, opportunities suppliers may not be able to identify independently. However, because wholesalers exercise the gate keeping role in our three-tiered system, suppliers – particularly small suppliers such as Missouri's wineries and microbrewers – often start with a bargaining power deficit in contract negotiations. Thereafter, when a wholesaler underperforms or non-performs on a contract, because the supplier is dependent on the wholesaler for market access, the supplier may never succeed in growing its sales and, as a result, never acquire sufficient bargaining power to negotiate better contract terms with the wholesaler.

Overlaying the effect of Missouri's three-tiered system on the comparative bargaining power of suppliers and wholesalers is the applicability of Missouri's franchise law to their relationships with one another. Senate Committee Substitute for Senate Bill No. 837 strikes two of three elements from the definition of a "franchise" when applied to the contractual relationships between liquor suppliers and wholesalers. As a result, if this bill were to become law, the only element left to make a contract between a supplier and a wholesaler a "franchise" would be the existence of the contract itself – nothing more. All contracts between liquor suppliers and wholesalers – whether oral or written, whether of definite or indefinite duration – would be converted into franchise agreements. And only a showing of "good cause," which applies in only a limited set of circumstances, would permit the valid termination of franchise contracts.

The law narrowly defines "good cause" for termination so that avenues to escape a franchise are curtailed and the parties who have invested substantial resources in the franchise – particularly the franchisee – are protected. But the combination of the definitional changes to a franchise wrought by Senate Committee Substitute for Senate Bill No. 837 and the existing law's limitations on the termination of such contracts threatens to lock suppliers into contracts with wholesalers, with no effective means of relief. In this situation, competition is diminished, the consumer inevitably suffers and Missouri agriculture is harmed.

Senate Committee Substitute for Senate Bill No. 837 goes much further than a mere declaration or clarification of legislative intent. The bill changes the substantive definition of a franchise – a change that appears inconsistent with the legislative intent of the existing law as indicated by the clear meaning of its text. Protecting wholesalers from wrongful contract termination where they have expended substantial resources promoting and distributing a supplier's product is an important policy objective. However, the wholesalers' protection cannot come through the near-total vitiation of the suppliers' flexibility and contractual bargaining power; such is too high a price to pay and this bill attempts to exact precisely that price.

The result of my action today will be to preserve suppliers' contractual bargaining power, particularly for many of Missouri's existing small wineries and microbrewers, as well as new market entrants such as our soybean growers, as they negotiate with wholesalers to distribute their products. This action will have no effect on the contractual relationships between any suppliers and wholesalers whose agreements already fit within the longstanding definition of a franchise under Missouri law.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 837 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Dempsey moved that the Senate proceed to the order of business of Vetoed Bills, and that the calendar be called, which motion prevailed.

SCS for SB 566 was called thereafter and no motion was taken thereon.

CCS for HCS for SCS for SB 569 was called thereafter and no motion was taken thereon.

SS for **SB 607** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SCS** for **SB 635** was called thereafter and no motion was taken thereon.

SCS for **SB 715** was called thereafter and no motion was taken thereon.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

Senator Lamping moved that **CCS** for **HCS** for **SS** for **SB 749** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Schaefer—6
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Absent—Senator Wright-Jones—1

Absent with leave—Senator Crowell—1

Vacancies—None

SCS for **SB 837** was called thereafter and no motion was taken thereon.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Committee Substitute for Senate Bill No. 566; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569; Senate Substitute for Senate Bill No. 607; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635; Senate Committee Substitute for Senate Bill No. 715; and Senate Committee Substitute for Senate Bill No. 837 when the bills were so called by the President.

Senator Cunningham offered Senate Resolution No. 4, regarding Richard A. Navarre, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2012 Constitutional Veto Session and ready for consideration of business.

On motion of Senator Dempsey, the Senate recessed until 1:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

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 **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HB 1219, HB 1250, SS for HCS for HB 1329, SCS for HCS for HB 1758, SCS for HCS for HB 1789, HCS for HB 1900, CCS for SS for SCS for HCS for HB 2004, CCS for SS for SCS for HCS for HB 2007 and CCS for SS for SCS for HCS for HB 2010** when the bills were called by the Speaker.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749.

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr			

NOES: 45

Anders	Aull	Black	Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Hodges	Holsman	Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty	McCreery	McDonald	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber			

Absent: 7

Atkins	Brown 50	Franz	Hughes	Largent	McGeoghegan	Meadows
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Vacancies: 2

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Anne-Theresa Sippel, Bayreuth, Germany; and Kris Ballenger, Jefferson City.

Senator Dempsey introduced to the Senate, his wife, Molly, St. Charles.

Senator Mayer introduced to the Senate, former State Senator Jim Mathewson, Sedalia.

The President introduced to the Senate, former State Senator Charlie Shields and his wife, Brenda, St. Joseph.

Senator Goodman introduced to the Senate, his wife Laura, their sons Jack Elliott and William True, Mt. Vernon; and his mother, Joyce Goodman, Pierce City; and Jack Elliott and William True were made honorary pages.

Senator Lembke introduced to the Senate, Lisa Mueller, parents and fourth grade students from Holy Redeemer, Webster Groves.

Senator Kehoe introduced to the Senate, Coaches Jared Wood, Darrell Luebbert and Garrett Wiggans and members of the Class 2 First Place South Callaway boys baseball team, Mokane.

Senator Goodman introduced to the Senate, Harrison Edward Jobes, and his parents, Tucker and Megan, Springfield; and Harrison Edward was made an honorary page.

On motion of Senator Dempsey, the Senate of the Veto Session of the Second Regular Session of the 96th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of Senate

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