

# Journal of the Senate

FIRST REGULAR SESSION

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FIFTY-SEVENTH DAY—THURSDAY, APRIL 19, 2007

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The Senate met pursuant to adjournment.

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the Lord is righteous; he loves righteous deeds; the upright shall behold his face.” (Psalm 11:7)

We know, O Lord that we are tired and that opens us up to say and do things we regret later; so help us do that which is righteous in Your sight and may our actions and deeds proclaim faithfulness to Your teaching as we complete the work before us so that we can return to those we love. May we never give up on those You have given us to love. Help us to do that which is right with them and for them and so to behold Your face. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus

Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Kennedy offered Senate Resolution No. 994, regarding Bob Oldani, St. Louis, which was adopted.

Senator Kennedy offered Senate Resolution No. 995, regarding Carol Ann Fisher, St. Louis, which was adopted.

Senator Shoemyer offered Senate Resolution No. 996, regarding Margie Tarpein, La Grange, which was adopted.

Senator Smith offered Senate Resolution No. 997, regarding the fourth- and fifth-graders at St. Margaret of Scotland elementary school, which was adopted.

Senator Lager offered Senate Resolution No. 998, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Edward Holt, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 999, regarding Charlotte Kathryn Woodward, Bowie, Maryland, which was adopted.

Senator Justus offered Senate Resolution No. 1000, regarding the death of Peter Daniel Nugent, which was adopted.

Senator Callahan offered Senate Resolution No. 1001, regarding Jeanne Cavender, which was adopted.

Senator Loudon offered Senate Resolution No. 1002, regarding Abby MacConnell, Hazelwood, which was adopted.

Senator Loudon offered Senate Resolution No. 1003, regarding Caitlin Mueller, Hazelwood, which was adopted.

Senator Loudon offered Senate Resolution No. 1004, regarding Josh Newberry, Hazelwood, which was adopted.

Senator Kennedy offered Senate Resolution No. 1005, regarding Rosemarie Storey, St. Louis, which was adopted.

### REFERRALS

President Pro Tem Gibbons referred the Gubernatorial Appointments appearing on page 895 of the Senate Journal for Wednesday, April 18, 2007, to the Committee on Gubernatorial Appointments.

President Pro Tem Gibbons referred **SCR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Gibbons referred **SCS** for

**SB 368** and **SS** for **SCS** for **SB 668** to the Committee on Governmental Accountability and Fiscal Oversight.

### REPORTS OF STANDING COMMITTEES

Senator Goodman, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SB 40**; **SCS** for **HCS** for **HB 39**; and **SS** for **SCS** for **SB 428**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Gibbons, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Kelly D. Swanson, Republican, as a member of the Tourism Commission;

Also,

Rudolph E. Farber, Republican, as a member of the State Highway and Transportation Commission;

Also,

Betty A. Knight, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Brenda K. Shields, as a member of the Coordinating Board for Early Childhood;

Also,

Kimberley J. Mathis, as a member of the Children’s Trust Fund Board;

Also,

Neal E. Boyd, as a member of the Missouri Training and Employment Council.

Senator Gibbons requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Kelly D. Swanson, Republican, as a member of the Tourism Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Goodman moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Rudolph E. Farber, Republican, as a member of the State Highway and Transportation Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Nodler moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment.

Senator Bray requested a roll call vote be taken on the motion to adopt the Committee Report. She was joined in her request by Senators Coleman, Nodler, Shoemyer and Smith.

On motion of Senator Nodler, the Committee Report was adopted and the Senate gave its advice and consent to the appointment of Rudolph E. Farber, by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion
Clemens	Coleman	Crowell	Engler
Gibbons	Goodman	Green	Griesheimer
Gross	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Stouffer	Vogel	Wilson—27	

NAYS—Senators

Bray	Graham	Justus	Kennedy
Shoemyer—5			

Absent—Senator Smith—1

Absent with leave—Senator Days—1

Vacancies—None

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Betty A. Knight, as a member of the Advisory Committee for 911 Service Oversight, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Shields moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Brenda K. Shields, as a member of the Coordinating Board for Early Childhood, begs leave to report that it has considered the same and recommends that the Senate do give its advice and

consent to said appointment.

Senator Shields moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Kimberley J. Mathis, as a member of the Children’s Trust Fund Board, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Smith moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Neal E. Boyd, as a member of the Missouri Training and Employment Council, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Gibbons moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

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

**THIRD READING OF SENATE BILLS**

**SS** for **SB 40**, introduced by Senator Ridgeway, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 40

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof six new sections relating to

tax incentives for certain energy uses.

Was taken up.

President Kinder assumed the Chair.

On motion of Senator Ridgeway, **SS** for **SB 40** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SS** for **SCS** for **SB 616**, introduced by Senator McKenna, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 616

An Act to repeal sections 311.070, 311.174, 311.178, 311.190, and 311.240, and to enact in lieu thereof nine new sections relating to liquor control, with penalty provisions.

Was taken up.

On motion of Senator McKenna, **SS** for **SCS** for **SB 616** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SS** for **SCS** for **SB 496**, introduced by Senator Koster, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 496

An Act to repeal sections 58.451, 58.720, 194.119, 194.210, 194.220, 194.230, 194.233, 194.240, 194.250, 194.260, 194.270, 194.280, 194.290, 194.304, and 302.171, RSMo, and to enact in lieu thereof twenty-nine new sections relating to anatomical gifts, with penalty provisions.

Was taken up.

Senator Griesheimer assumed the Chair.

On motion of Senator Koster, **SS** for **SCS** for **SB 496** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Justus
Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel
Wilson—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SS** for **SB 303**, introduced by Senator Loudon, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 303

An Act to repeal sections 334.010, 334.120, and 334.260, RSMo, and to enact in lieu thereof eight new sections relating to the practice of midwifery, with penalty provisions.

Was taken up.

At the request of Senator Loudon, **SS** for

**SB 303** was placed on the Informal Calendar.

**SS** for **SCS** for **SB 428**, introduced by Senator Purgason, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 428

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to participation in an animal identification system.

Was taken up.

On motion of Senator Purgason, **SS** for **SCS** for **SB 428** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Clemens	Coleman	Crowell	Engler
Gibbons	Goodman	Graham	Griesheimer
Gross	Justus	Kennedy	Lager
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Vogel
Wilson—29			

NAYS—Senators

Koster	Stouffer—2
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Absent—Senators

Champion	Green—2
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Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SCS** for **SB 391** was placed on the Informal

Calendar.

**SS** for **SB 654**, introduced by Senator Kennedy, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 654

An Act to repeal sections 84.120, 84.170, and 590.040, RSMo, and to enact in lieu thereof three new sections relating to the St. Louis board of police commissioners.

Was taken up.

Senator Rupp assumed the Chair.

Under the provisions of Senate Rule 91, Senator Wilson was excused from voting.

On motion of Senator Kennedy, **SS** for **SB 654** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Clemens	Coleman	Crowell	Engler
Gibbons	Goodman	Graham	Griesheimer
Gross	Justus	Kennedy	Koster
Lager	Loudon	Mayer	McKenna
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith
Stouffer	Vogel—30		

NAYS—Senators—None

Absent—Senators

Champion	Green—2
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Absent with leave—Senator Days—1

Excused from voting—Senator Wilson—1

Vacancies—None

The President declared the bill passed.

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

Senator Kennedy moved that the vote by

which the bill passed be reconsidered.

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

**SS** for **SB 358**, introduced by Senator Engler, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 358

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the release of a lienholder's rights upon the satisfaction of a lien or encumbrance, with penalty provisions.

Was taken up.

On motion of Senator Engler, **SS** for **SB 358** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SCS** for **SB 75**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 75

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to combat veterans.

Was taken up by Senator Coleman.

On motion of Senator Coleman, **SCS** for **SB 75** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SCS** for **SB 664**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 664

An Act to repeal sections 344.020, 344.030, 344.040, 344.050, 344.060, 344.070, 344.080, and

344.105, RSMo, and to enact in lieu thereof nine new sections relating to board of nursing home administrators.

Was taken up by Senator Scott.

On motion of Senator Scott, **SCS** for **SB 664** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Engler	Gibbons	Goodman	Graham
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Loudon	Mayer
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson—32

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

### SENATE BILLS FOR PERFECTION

Senator Clemens moved that **SB 570** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Clemens offered **SS** for **SB 570**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 570

An Act to repeal sections 640.703, 640.710, 640.715, 640.740, 640.745, 640.747, 643.151, and

644.076, RSMo, and to enact in lieu thereof eighteen new sections relating to concentrated animal feeding operations, with penalty provisions.

Senator Clemens moved that **SS** for **SB 570** be adopted.

Senator Shields offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 570, Pages 1-2, Section 261.085, by striking all of said section from the bill; and

Further amend said bill, Pages 2-3, Section 261.175, by striking all of said section from the bill; and

Further amend said bill, Pages 3-4, Section 261.270, by striking all of said section from the bill; and

Further amend said bill, Pages 4-11, Section 640.703, by striking all of said section from the bill; and

Further amend said bill, Pages 11-14, Section 640.710, by striking all of said section from the bill; and

Further amend said bill, Page 14-15, Section 640.712, by striking all of said section from the bill; and

Further amend said bill, Pages 15-17, Section 640.715, by striking all of said section from the bill; and

Further amend said bill, Page 17, Section 640.716, Lines 21-28, by striking all said section from the bill; and

Further amend said bill, Pages 18-27, Section 640.728, by striking all of said section from the bill; and

Further amend said bill, Page 27-28, Section 640.729, by striking all of said section from the bill; and

Further amend said bill, Pages 28-29, Section 640.738, by striking all of said section from the



bill; and

Further amend said bill, Pages 29-30, Section 640.740, by striking all of said section from the bill; and

Further amend said bill, Pages 30-33, Section 640.745, by striking all of said section from the bill; and

Further amend said bill, Page 33, Section 640.747, Lines 11 to 18 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 33-34, Section 640.748, by striking all of said section from the bill; and

Further amend said bill, Pages 34-35, Section 640.749, by striking all of said section from the bill; and

Further amend said bill, Pages 36-39, Section 643.151, by striking all of said section from the bill; and

Further amend said bill, Pages 39-42, Section 644.076, by striking all of said section from the bill; and inserting in lieu thereof the following:

**“Section 1. 1. There is hereby created a joint committee on concentrated animal feeding operations. The committee shall be composed of:**

**(1) Five members appointed by the speaker of the house of representatives with no more than three representing the majority party; and**

**(2) Five members appointed by the president pro tem of the senate with no more than three representing the majority party;**

**2. The committee shall be appointed prior to the end of the First Regular Session of the Ninety-Fourth General Assembly and the committee shall expire on December 31, 2007.**

**3. The committee shall conduct a comprehensive study of concentrated animal feeding operations in Missouri, to include the economic impact of such operations, issues**

**pertaining to the regulation of such operations at the local and state levels of government, and any other issue the committee deems relevant. The committee shall develop a report that describes its findings and makes recommendations regarding concentrated animal feeding operations in the state. Such report shall be submitted to the General Assembly no later than December 31, 2007.**

**4. The committee may create sub-committees, hold hearings as it deems advisable, and obtain any input or information necessary to fulfill its duties. The committee shall have access to the staff services of house research, senate research, and the joint committee on legislative research for any legal, research, clerical, technical, and bill drafting services it deems necessary in the performance of its duties.”; and**

Further amend the title and enacting clause accordingly.

Senator Shields moved that the above amendment be adopted.

Senator Shoemyer offered SA 1 to SA 1, which was read:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 570, Page 2, Lines 20-24, by striking all of said lines and inserting in lieu thereof the following:

**“(1) Five members of the house of representatives, with three members appointed by the speaker of the house of representatives and two members appointed by the minority leader of the house of representatives; and**

**(2) Five members of the senate, with three members appointed by the president pro tem of the senate and two members appointed by the minority leader of the senate.”.**

Senator Shoemyer moved that the above

amendment be adopted, which motion prevailed.

**SA 1**, as amended, was again taken up.

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

Senator Clemens moved that **SS** for **SB 570**, as amended, be adopted, which motion prevailed.

On motion of Senator Clemens, **SS** for **SB 570**, as amended, was declared perfected and ordered printed.

President Pro Tem Gibbons assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Gross, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee

Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Scott, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 15**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 780**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 497**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 255**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Senator Griesheimer, Chairman of the Committee on Economic Development, Tourism and Local Government, submitted the following reports:

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 41**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 125**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Champion, Chairman of the Committee on Seniors, Families and Public Health, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HB 352**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 629**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 526**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 220**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Clemens, Chairman of the Committee on Agriculture, Conservation, Parks and Natural Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **HB 46**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nodler, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 489**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Health and Mental Health, submitted the following report:

Mr. President: Your Committee on Health and Mental Health, to which was referred **SB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crowell, Chairman of the Committee on Pensions, Veterans' Affairs and General Laws, submitted the following reports:

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 135**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Pensions,

Veterans' Affairs and General Laws, to which was referred **HB 875**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 491**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Shields, on behalf of Senator Engler, Chairman of the Committee on Commerce, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **HCS for HB 426**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **HCS for HB 298**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 6 for SCS for SB 389**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 596**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 744**, begs leave to report that it has considered the same and recommends that the bill do pass.

### REFERRALS

President Pro Tem Gibbons referred **SS No. 6** for **SCS** for **SB 389** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Gross assumed the Chair.

### 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 **SS** for **SB 195**.

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 16**.

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 **HCS** for **SB 376**, entitled:

An Act to repeal section 620.467, RSMo, and to enact in lieu thereof two new sections relating to financial impact on tourism, with an emergency clause.

With House Substitute Amendment No. 1 for House Amendment No. 1.

### HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 376, Section 171.035, Page 1, Lines 1-2 by deleting all of said Lines and inserting in lieu thereof the following:

**“171.035. No school”**; and

Further amend said Section and Page, Line 5, by inserting after the word **“from”** the following:

**“January 12, 2007 to”**; and

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

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 916**, entitled:

An Act to repeal section 313.057, RSMo, and to enact in lieu thereof one new section relating to an exemption for veteran's, service and fraternal organizations from taxes on pull-tab cards, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 329**, entitled:

An Act to repeal sections 425.010 and 425.020, RSMo, and to enact in lieu thereof four new sections relating to debt adjusters, with a

penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 98**, entitled:

An Act to amend chapter 660, RSMo, by adding thereto one new section relating to transportation services for the elderly.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 461**, entitled:

An Act to repeal sections 36.030, 36.031, 306.161, 306.163, and 650.005, RSMo, and to enact in lieu thereof ten new sections relating to the water patrol, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 134**, entitled:

An Act to repeal section 172.287, RSMo, and to enact in lieu thereof one new section relating to equipment grants for engineering programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 17**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2007 and ending June 30, 2009.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 18**, entitled:

An Act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

#### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 827**—Seniors, Families and Public Health.

**HCS** for **HB 159**—Commerce, Energy and the Environment.

**HCS** for **HBs 952** and **674**—Health and

Mental Health.

**HCS for HB 845**—Financial and Governmental Organizations and Elections.

### INTRODUCTIONS OF GUESTS

Senator Green introduced to the Senate, Bill and Rosemary Cira, Florissant.

Senator Green introduced to the Senate, Richard and Eva Boggs and Sue Hamilton, Hannibal.

Senator Engler introduced to the Senate, students from East Carter County R-II, Ellsinore.

Senator Lager introduced to the Senate, eighth grade students from Nodaway Holt School, Graham.

Senator Bartle introduced to the Senate,

Kaleigh Shirley, Lee's Summit; and Kaliegh was made an honorary page.

Senator Ridgeway introduced to the Senate, Arianne Fortune and debate team members Sohail Jouya, Courtney Mundell and Sarah Smith, Oak Park High School, Kansas City.

Senator Scott introduced to the Senate, Julie Hayton and her son Cody, Lee's Summit.

Senator Loudon introduced to the Senate, the Physician of the Day, Dr. Tom Stamos, M.D., Chesterfield.

On behalf of Senator Gibbons and himself, Senator Kennedy introduced to the Senate, thirty students from Crestwood Elementary School, St. Louis.

On motion of Senator Shields, the Senate adjourned until 2:00 p.m., Monday, April 23, 2007.

### SENATE CALENDAR

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FIFTY-EIGHTH DAY—MONDAY, APRIL 23, 2007

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### FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 916-Dougherty, et al  
HCS for HB 329  
HCS for HB 98  
HCS for HB 461

HB 134-Guest, et al  
HCS for HB 17  
HCS for HB 18

### THIRD READING OF SENATE BILLS

SCS for SB 368-Barnitz, et al  
(In Fiscal Oversight)  
SS for SCS for SB 668-Loudon  
(In Fiscal Oversight)

SS#6 for SCS for SB 389-Nodler  
(In Fiscal Oversight)

## SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| 1. SB 644-Griesheimer                        | 9. SB 536-Lager, with SCS                      |
| 2. SBs 372 & 366-Justus and Koster, with SCS | 10. SB 552-Bartle                              |
| 3. SB 388-Mayer, with SCS                    | 11. SB 484-Stouffer, with SCS                  |
| 4. SB 225-Stouffer, with SCS                 | 12. SBs 348, 626 & 461-Koster, et al, with SCS |
| 5. SB 571-Mayer, with SCS                    | 13. SJR 15-Green                               |
| 6. SB 652-Coleman and Gibbons, with SCS      | 14. SB 629-Smith, with SCS                     |
| 7. SB 699-Lager, with SCS                    | 15. SB 122-Bray and Days, with SCS             |
| 8. SB 11-Coleman, with SCS                   | 16. SB 491-Ridgeway                            |

## HOUSE BILLS ON THIRD READING

- |  |  |
|--|--|
| 1. HCS for HB 221 (Loudon)             | 22. HCS for HB 11, with SCS (Gross)                  |
| 2. HB 454-Jetton, et al (Mayer)        | 23. HCS for HB 12, with SCS (Gross)                  |
| 3. HCS for HJR 1, with SCS (Rupp)      | 24. HCS for HB 13, with SCS (Gross)                  |
| 4. HCS for HB 346 (Clemens)            | 25. HCS for HB 780, with SCS (Scott)                 |
| 5. HB 155-Dusenberg, et al (Ridgeway)  | 26. HCS for HB 497 (Lager)                           |
| 6. HB 69-Day, with SCS (Barnitz)       | 27. HB 255-Bruns, with SCS                           |
| 7. HCS for HB 469, with SCS (Crowell)  | 28. HB 41-Portwood, with SCS (Loudon)                |
| 8. HCS for HB 620, with SCS (Ridgeway) | 29. HB 125-Franz, with SCS (Shoemyer)                |
| 9. HCS for HB 39, with SCS (Koster)    | 30. HB 352-Hobbs, et al (Gibbons)                    |
| 10. HCS for HB 774 (Crowell)           | 31. HB 526-Pratt (Loudon)                            |
| 11. HB 269-Nolte, et al (Ridgeway)     | 32. HB 220-Stevenson                                 |
| 12. HB 1 (Icet), with SCS (Gross)      | 33. HB 46-Viebrock and Stevenson                     |
| 13. HCS for HB 2, with SCS (Gross)     | 34. HB 489-Baker (123), et al, with SCS<br>(Shields) |
| 14. HCS for HB 3, with SCS (Gross)     | 35. HCS for HB 135, with SCS                         |
| 15. HCS for HB 4, with SCS (Gross)     | 36. HB 875-Franz, with SCS (Purgason)                |
| 16. HCS for HB 5, with SCS (Gross)     | 37. HCS for HB 426, with SCS                         |
| 17. HCS for HB 6, with SCS (Gross)     | 38. HCS for HB 298, with SCS                         |
| 18. HCS for HB 7, with SCS (Gross)     | 39. HB 596-St. Onge, with SCS                        |
| 19. HCS for HB 8, with SCS (Gross)     | 40. HB 744-St. Onge                                  |
| 20. HCS for HB 9, with SCS (Gross)     |  |
| 21. HCS for HB 10, with SCS (Gross)    |  |

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SS for SB 303-Loudon

SCS for SB 391-Days



SENATE BILLS FOR PERFECTION

SB 2-Gibbons, with SCS  
SB 17-Shields, with SCS  
SB 20-Griesheimer, with SCS  
SB 27-Bartle and Koster  
SB 53-Koster and Engler, with SCS  
SB 101-Mayer  
SB 131-Rupp  
SB 153-Engler, et al, with SCS  
SB 155-Engler, with SCS & SS for SCS  
(pending)  
SB 160-Rupp, with SCS  
SB 168-Mayer and Crowell, with SCS  
SB 169-Rupp, with SCS, SS for SCS & SA 3  
(pending)  
SB 205-Stouffer and Gibbons, with SCS  
SB 212-Goodman  
SB 213-McKenna  
SB 242-Nodler, with SCS  
SB 250-Ridgeway and Vogel  
SB 252-Ridgeway and McKenna  
SB 254-Nodler, et al, with SCS  
SBs 260 & 71-Koster, et al, with SCS  
SB 274-Shields  
SB 282-Griesheimer, with SCS & SS for SCS  
(pending)  
SB 287-Crowell and Vogel, with SS  
(pending)  
SB 292-Mayer  
SB 297-Loudon, with SCS  
SB 300-Bartle  
SB 341-Goodman, with SCS  
SB 363-Bartle  
SB 364-Koster, with SCS, SS for SCS, SA 1  
& SSA 1 for SA 1 (pending)  
SBs 370, 375 & 432-Scott and Koster,  
with SCS & SA 5 (pending)  
SB 385-Gibbons, with SCS  
SB 400-Crowell, et al  
SB 430-Shields, et al, with SCS, SS#2 for  
SCS, SA 4 & SSA 3 for SA 4 (pending)  
SB 444-Goodman  
SB 453-Scott, with SCS  
SB 458-Gibbons  
SB 476-Crowell  
SB 480-Ridgeway, et al, with SCS  
SB 492-Crowell  
SB 499-Engler and Clemens, with SCS  
SB 511-Scott, with SCS  
SB 521-Lager, et al, with SCS  
SB 523-Scott, with SCS  
SB 531-Gibbons, with SCS  
SB 534-Nodler  
SB 537-Lager  
SB 542-Scott, with SCS  
SBs 555 & 38-Gibbons, with SCS  
SB 563-Lager, with SCS & SS for SCS  
(pending)  
SB 572-Vogel  
SB 586-Crowell, with SCS  
SB 592-Scott, with SCS  
SB 599-Engler, with SCS  
SB 627-Ridgeway  
SB 635-Loudon, with SCS  
SBs 660, 553, 557, 167, 258, 114 &  
378-Mayer, with SCS  
SB 698-Ridgeway, et al, with SCS

HOUSE BILLS ON THIRD READING

HJR 7-Nieves, et al, with SCS (Engler)

CONSENT CALENDAR

Senate Bills

Reported 2/8

SB 211-Goodman

Reported 2/15

SB 8-Kennedy

Reported 3/8

SB 185-Green

House Bills

Reported 4/5

HB 62-Ruestman, et al (Nodler)

HCS for HB 405 (Scott)

HB 754-Kelly, et al (Vogel)

HB 576-Cooper (120), et al (Clemens)

HB 264-Cunningham (86) (Rupp)

HB 732-Parson, et al (Scott)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 376-Griesheimer, with HCS, as amended

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 327, with SS for SCS, as  
amended (Griesheimer)

RESOLUTIONS

Reported from Committee

HCR 15-Threlkeld, et al, with SCS (Shields)  
SCR 10-Koster and Shields

HCR 25-Yates, et al (Bartle)

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