

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—THURSDAY, MARCH 26, 2009

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I sometimes wonder whether all pleasures are not substitutes for joy.” (C.S. Lewis)

Loving God, help us as we go through our work this day to do so exceedingly well. And ride with us as we head home to loved ones. While we are with them let us discover true joy with them and not just the pleasures that are not lasting. Abide with us and bless us and help us to come to know You. 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.

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

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

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

President Pro Tem Shields assumed the Chair.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 598, regarding the 2008-2009 Dexter High School Bearcats girls basketball team, which was adopted.

Senator Mayer offered Senate Resolution No. 599, regarding Larry Kelly, Doniphan, which was adopted.

Senator Mayer offered Senate Resolution No. 600, regarding Lorene Thomason, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 601, regarding Dan Townsend, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 602, regarding Jennie Davidson, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 603, regarding Jake Ward, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 604, regarding Beth Gilbreath, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 605, regarding James Gilbreath, Dexter, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 606, regarding Nicole Colbert-Bochway, Saint Louis, which was adopted.

Senator Shoemyer offered Senate Resolution No. 607, regarding Jerry Tilden, Unionville, which was adopted.

Senator McKenna offered Senate Resolution No. 608, regarding Cedar Springs Elementary School, Northwest R-I School District, which was adopted.

Senator Mayer offered Senate Resolution No. 609, regarding Bootheel Recycling, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 610, regarding Southern Missouri Bank, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 611, regarding Dexter O.A.K.S. Senior Center, which was adopted.

Senator Mayer offered Senate Resolution No. 612, regarding Ozark Wellness and Athletic Club, Dexter, which was adopted.

Senator Wilson offered Senate Resolution No. 613, regarding the Ninetieth Birthday of Fred Curls, Kansas City, which was adopted.

Senator Barnitz offered Senate Resolution No. 614, regarding Oak Hill R-I School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 615, regarding Green Forest R-II School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 616, regarding Dent-Phelps R-III School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 617, regarding Gasconade County R-II School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 618, regarding Gasconade County R-I School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 619, regarding Wellsville Middletown R-I School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 620, regarding Osage County R-I School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 621, regarding Osage County R-II School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 622, regarding Osage County R-III School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 623, regarding Saint James R-I School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 624, regarding Rolla 31 School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 625, regarding Richland R-IV School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 626, regarding Waynesville R-VI School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 627, regarding Crocker R-II School District, which was adopted.

Senator Barnitz offered Senate Resolution No. 628, regarding the Ninety-fifth Birthday of Wilborn Glen Heavin, Rolla, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 406**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Champion, Chairman of the Committee on Health, Mental Health, Seniors and Families, Senator Engler submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred

SB 378, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Education, to which was referred **SB 558**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on General Laws, submitted the following report:

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

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 555**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey assumed the Chair.

Senator Purgason, 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 **SB 272** and **SS** for **SB 58**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 176**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 176

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the Alzheimer's state plan task force, with an expiration date.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **SCS** for **SB 176** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SS for SB 58, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 58

An Act to repeal sections 21.795, 23.140, 226.030, 301.147, 301.190, 301.3150, 301.3152, 301.3154, 302.230, 302.341, 302.545, 302.700, 302.735, 302.755, 302.775, 304.155, 304.170, 304.260, 307.350, 311.326, 387.040, 643.303, and 643.315, RSMo, and to enact in lieu thereof twenty-seven new sections relating to transportation, with penalty provisions and an effective date for certain sections.

Was taken up.

On motion of Senator Stouffer, **SS for SB 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SCS for SB 130, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 130

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of electronic

wireless telecommunication devices while operating a motor vehicle upon the highways of this state, with penalty provisions.

Was taken up by Senator McKenna.

On motion of Senator McKenna, **SCS** for **SB 130** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Lager	Lembke	Mayer
McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—31	

NAYS—Senators

Crowell	Justus	Purgason—3
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Absent—Senators—None

Absent with leave—Senators—None

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 Engler moved that motion lay on the table, which motion prevailed.

At the request of Senator Griesheimer, **SS No. 2** for **SCS** for **SB 5** was placed on the Informal Calendar.

SCS for **SJR 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 5

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 18(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to assessors.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SJR 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Dempsey
Engler	Goodman	Griesheimer	Lager	Lembke	Mayer	McKenna	Nodler
Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Stouffer	Vogel	Wright-Jones—28				

NAYS—Senators

Bray Days Green Justus Smith Wilson—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Schmitt, title to the joint resolution was agreed to.

Senator Schmitt moved that the vote by which the joint resolution passed be reconsidered.

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

SCS for SBs 65 and 43, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 65 and 43

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS for SBs 65 and 43** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Griesheimer assumed the Chair.

SCS for **SB 188**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 188

An Act to repeal sections 311.060, 311.260, 311.297, 311.332, 311.333, 311.334, 311.335, 311.336, 311.338, and 311.490, RSMo, and to enact in lieu thereof eight new sections relating to liquor control, with penalty provisions.

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS for SB 188** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 272, introduced by Senator Lager, entitled:

An Act to repeal section 644.054, RSMo, and to enact in lieu thereof one new section relating to water pollution permit fees.

Was taken up.

On motion of Senator Lager, **SB 272** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SCS for SB 355, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 355

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to certain administrative fees associated with the sale of motor vehicles, vessels, and other types of vehicles.

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS for SB 355** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bray	Callahan	Champion	Clemens	Cunningham	Days	Dempsey	Engler
Green	Griesheimer	Lembke	McKenna	Pearce	Rupp	Schaefer	Schmitt
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—23	

NAYS—Senators

Barnitz	Bartle	Crowell	Goodman	Justus	Lager	Mayer	Nodler
Purgason	Ridgeway	Scott—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 256, introduced by Senator Schaefer, entitled:

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof three new sections relating to county purchases.

Was taken up.

On motion of Senator Schaefer, **SB 256** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Callahan	Champion	Clemens	Crowell	Cunningham	Dempsey
Engler	Goodman	Green	Griesheimer	Justus	Lager	Lembke	Mayer
McKenna	Nodler	Pearce	Rupp	Schaefer	Schmitt	Scott	Shields
Shoemyer	Smith	Stouffer	Vogel	Wilson	Wright-Jones—30		

NAYS—Senators

Bray	Days	Ridgeway—3
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Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SS for SCS for SB 89, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 89

An Act to repeal sections 198.074, 198.075, 198.096, and 198.525, RSMo, and to enact in lieu thereof five new sections relating to safety in long-term care facilities.

Was taken up.

On motion of Senator Stouffer, **SS for SCS for SB 89** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Lager assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Shields, 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 and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Bettye Battle-Turner, as a member of the Saint Louis City Board of Police Commissioners;

Also,

Troy L. Nash, as a member of the Missouri Housing Development Commission;

Also,

Connie L. Hebert and Vicki L. McCarrell, as members of the Missouri Commission on Autism Spectrum Disorders;

Also,

Thomas N. Wapelhorst, as a member of the Saint Charles County Convention and Sports Facilities Authority.

Senator Shields requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Shields moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

Senator Callahan assumed the Chair.

THIRD READING OF SENATE BILLS

SB 513, introduced by Senator Dempsey, entitled:

An Act to repeal section 429.609, RSMo, and to enact in lieu thereof one new section relating to real estate broker's liens.

Was called from the Consent Calendar and taken up.

On motion of Senator Dempsey, **SB 513** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 396, introduced by Senator Justus, entitled:

An Act to repeal section 311.060, RSMo, and to enact in lieu thereof one new section relating to liquor licenses.

Was called from the Consent Calendar and taken up.

On motion of Senator Justus, **SB 396** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Cunningham	Days	Engler
Green	Griesheimer	Justus	Lager	Lembke	McKenna	Pearce	Purgason
Ridgeway	Shields	Shoemyer	Smith	Vogel	Wilson	Wright-Jones—23	

NAYS—Senators

Bartle	Crowell	Dempsey	Goodman	Mayer	Nodler	Rupp	Schaefer
Schmitt	Scott	Stouffer—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 421, introduced by Senator Pearce, entitled:

An Act to repeal section 361.340, RSMo, and to enact in lieu thereof one new section relating to the powers of the director of finance.

Was called from the Consent Calendar and taken up.

On motion of Senator Pearce, **SB 421** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 435, introduced by Senator Lembke, entitled:

An Act to repeal sections 630.110, 632.489, and 632.495, RSMo, and to enact in lieu thereof three new sections relating to sexually violent predators.

Was called from the Consent Calendar and taken up.

On motion of Senator Lembke, **SB 435** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HOUSE BILLS ON SECOND READING

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

HCS for HB 247—Health, Mental Health, Seniors and Families.

HCS for HB 236—Education.

HB 91—Transportation.

HCS for HBs 93 and 216—Agriculture, Food Production and Outdoor Resources.

HB 269—Transportation.

HB 488—Education.

HB 490—Education.

HB 83—General Laws.

HCS for HB 148—Jobs, Economic Development and Local Government.

HCS for HB 154—General Laws.

HB 376—Jobs, Economic Development and Local Government.

HB 395—Health, Mental Health, Seniors and Families.

HB 218—General Laws.

HB 400—Veterans' Affairs, Pensions and Urban Affairs.

HB 506—Education.

HCS for HB 251—Agriculture, Food Production and Outdoor Resources.

HB 259—Health, Mental Health, Seniors and Families.

HCS for HB 124—General Laws.

HB 69—Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 427**, entitled:

An Act to repeal sections 42.007, 173.234, 301.451, and 452.412, RSMo, and to enact in lieu thereof seven new sections relating to members of the military and their families.

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 661**, entitled:

An Act to repeal sections 260.273, 260.275, and 260.276, RSMo, and to enact in lieu thereof three new sections relating to tire disposal.

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 248**, entitled:

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

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 540**, entitled:

An Act to repeal sections 408.052, 408.140, 408.233, and 408.300, RSMo, and to enact in lieu thereof five new sections relating to the sale of certain products and plans associated with certain loan transactions, with penalty provisions.

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 **HBs 320, 39 and 662**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for storm shelters.

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 382**, entitled:

An Act to repeal sections 443.800, 443.803, 443.805, 443.807, 443.809, 443.810, 443.812, 443.816, 443.817, 443.819, 443.821, 443.823, 443.825, 443.827, 443.830, 443.833, 443.835, 443.837, 443.839, 443.841, 443.843, 443.845, 443.847, 443.849, 443.851, 443.853, 443.855, 443.857, 443.859, 443.861, 443.863, 443.865, 443.867, 443.869, 443.879, 443.881, 443.883, 443.885, 443.887, 443.889, 443.891, and 443.893, RSMo, and to enact in lieu thereof fifty-eight new sections relating to the regulation of residential mortgage professionals, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

GOVERNOR OF MISSOURI

Jefferson City

65102

March 26, 2009

TO THE SECRETARY OF THE SENATE
95th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 313 entitled:

AN ACT

To amend chapter 30, RSMo, by adding thereto three new sections relating to the receipt of federal economic stimulus funds, with an emergency clause.

On March 26, 2009, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 313.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

On motion of Senator Engler, the Senate recessed until 2:00 p.m.

RECESS

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

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 **HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2009 and ending June 30, 2010.

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 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2009 and ending June 30, 2010.

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 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2009 and ending June 30, 2010.

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 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2009 and ending June 30, 2010.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 629, regarding Joan E. Higginbotham, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Clemens introduced to the Senate, the Physician of the Day, Dr. Bill Reynolds, M.D., and his daughters, Emma and Sarah, Springfield.

Senator Shoemyer introduced to the Senate, members of Farm Bureau Youth Leadership and FFA students, Shelby and Audrain Counties.

On behalf of Senator Shields, the President introduced to the Senate, Caroline Pooler, Platte County; Ina Lewis, Blue Springs and Paula Benoit, Maine.

Senator Stouffer introduced to the Senate, Lee Dougherty, Ethan Rinacke, Travis Beaman, Josh Suttner, and Doug Chambers, members of Farm Bureau Youth Leadership, Howard County.

Senator Stouffer introduced to the Senate, Julie Jacobs, Seth Rash, Tucker Oliver and James Wilson, members of Farm Bureau Youth Leadership, Macon County.

Senator Stouffer introduced to the Senate, Carolyn Standebeck, Ethan Tate, Camile Jones and Lydia Manson, members of Farm Bureau Youth Leadership, Chariton County.

Senator Pearce introduced to the Senate, Shelby Dunlap, Chris Foley, Lauren Moles and Mike Moreland, members of Farm Bureau Youth Leadership, Cass County.

Senator Shoemyer introduced to the Senate, members of Farm Bureau Youth Leadership, Clark County.

Senator Barnitz introduced to the Senate, Chris Brundick, Jeremia Markway and Jennifer Vogt, Meghan Finn, Jennifer Fennewald, Claire Schanzmeyer, Emily Brundick, Nikki Brandt and Kayla Hoerschgen, members of Farm Bureau Youth Leadership, Maries and Osage Counties.

Senator Barnitz introduced to the Senate, Jennifer Hawkins and Nick Vocks, Tony White, Morgan Kever, Melissa Krueger and Stephan Gotthardt, members of Farm Bureau Youth Leadership, Osage County.

Senator Barnitz introduced to the Senate, Whitney Gabathuler, Julia Witthaus, Mandy Schebaum, Tiffany Elsenraat, Katelyn Van Booven, Kevin Hofmeister, Tracy Vedder and Carolyn Winthorst, members of Farm Bureau Youth Leadership, Gasconade County.

Senator Shoemyer introduced to the Senate, Kevin Powell, Colton Smith, Jacob VanHuff and members of Kirksville R-III 2008-2009 State Champion wrestling team.

Senator Crowell introduced to the Senate, members of Farm Bureau Youth Leadership, Bollinger, Cape Girardeau and Madison Counties.

Senator Ridgeway introduced to the Senate, Maegan Luft, Debra Blackman, Darrell and Christina Drumwright, parents and twenty-five fourth and fifth grade students from St. Patrick Elementary School, Kansas City.

Senator Mayer introduced to the Senate, Marla and Myron Hawes and their children, Clay, Emma and Madeline, members of Farm Bureau Youth Leadership, New Madrid County.

Senator Mayer introduced to the Senate, David and Wanda Blevins and their son Matthew, members of Farm Bureau Youth Leadership, Bernie.

Senator Scott introduced to the Senate, Candace Jones, Brandi Whillock, Steven Gann and Zach Spears, members of Farm Bureau Youth Leadership, Dallas County.

Senator Scott introduced to the Senate, Jim Young, Dakota Tucker, Nicollette Gurley, Emily Scott and Taylor Bledsoe, members of Farm Bureau Youth Leadership, St. Clair County.

Senator Scott introduced to the Senate, Don McClure and Kulani Lawler; and Nathan Fibrow, Nicole Murphy and Marty Mitchell, members of Farm Bureau Youth Leadership, Henry County.

Senator Barnitz introduced to the Senate, Tiffany Schulte, Kristen Kallash, Jake Griesbauer, Isaiah Swoboda, Yusef Jaouni, Crystal Blaue and Eric Vanhorn, members of Farm Bureau Youth Leadership, Montgomery County.

Senator Shoemyer introduced to the Senate, members of Farm Bureau Youth Leadership, Pike County.

Senator Pearce introduced to the Senate, Kevin Buckstead, Jacob Haught and Avery Deevers, members of Farm Bureau Youth Leadership, Warrensburg.

Senator Goodman introduced to the Senate, Boyd Arthur, Ryan Lacey, Rebecca Shriver and Tiffany Landoll, members of Farm Bureau Youth Leadership, Lawrence County.

Senator Shields introduced to the Senate, Lindsay Burcham, Jefferson City; and her nieces Kyra and Ella Burcham, Springfield; and Kyra and Ella were made honorary pages.

Senator Scott introduced to the Senate, Brandon Baldwin, Greg Ross, Dustin Jones and Jerry Sukourt, members of Farm Bureau Youth Leadership, Polk County.

Senator Lager introduced to the Senate, members of Farm Bureau Youth Leadership, Livingston County.

On behalf of Senator Griesheimer, the President introduced to the Senate, Shelby Enke, St. Clair; Marianne and Kimberly Emery, West Thurmond and Barb Stumpe, Sullivan, members of Farm Bureau Youth Leadership.

On behalf of Senator Barnitz and himself, Senator Clemens introduced to the Senate, Craig Stevenson, his parents, Mr. and Mrs. Mark Stevenson and his sister, Caitlin, Rolla.

On motion of Senator Vogel, the Senate adjourned until 4:00 p.m., Monday, March 30, 2009.

SENATE CALENDAR

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FORTY-THIRD DAY—MONDAY, MARCH 30, 2009

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 661	HB 1-Icet
HB 248-Funderburk	HCS for HB 2
HCS for HB 540	HCS for HB 3
HCS for HBs 320, 39 & 662	HCS for HB 4
HCS for HB 382	

THIRD READING OF SENATE BILLS

SS for SCS for SB 167-Rupp
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 307-Dempsey and Rupp	12. SB 141-Smith and Wright-Jones, with SCS
2. SB 306-Dempsey, et al, with SCS	13. SB 267-Mayer and Green
3. SJR 3-Crowell	14. SBs 335 & 16-Rupp, with SCS
4. SB 409-Stouffer, with SCS	15. SBs 207 & 245-Rupp, with SCS
5. SB 364-Clemens and Schaefer	16. SB 172-Green and Cunningham
6. SB 527-Nodler and Bray	17. SB 406-Scott, with SCS
7. SB 539-Schaefer, with SCS	18. SB 378-Nodler
8. SB 321-Days, et al, with SCS	19. SB 558-Mayer, et al, with SCS
9. SB 117-Green, with SCS	20. SJR 12-Scott, with SCS
10. SB 94-Justus, et al, with SCS	21. SB 555-Lager, with SCS
11. SB 477-Wright-Jones	

HOUSE BILLS ON THIRD READING

HCS for HB 191, with SCS
(Griesheimer) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 5-Griesheimer

SENATE BILLS FOR PERFECTION

SB 7-Griesheimer, with SS (pending)	SBs 45, 212, 136, 278, 279, 285 &
SB 18-Bray, et al, with SCS & SS for SCS (pending)	288-Pearce, with SCS, SS#2 for SCS and SA 2 (pending)
SB 29-Stouffer	SB 57-Stouffer, with SCS

SB 72-Stouffer, with SCS
SB 174-Griesheimer and Goodman, with
SCS, SS#2 for SCS & SA 2 (pending)
SCS for SB 189-Shields
SB 216-Scott, with SCS
SBs 223 & 226-Goodman, with SCS (pending)
SB 236-Lembke

SBs 261, 159, 180 & 181-Bartle and Goodman,
with SCS & SS#3 for SCS (pending)
SB 264-Mayer
SB 284-Lembke, et al
SB 363-Griesheimer, with SCS, SS for SCS
and SA 2 (pending)

CONSENT CALENDAR

Senate Bills

Reported 3/11

SB 296-Scott
SB 276-Barnitz
SB 337-Rupp
SB 468-Justus, with SCS
SB 338-Rupp, with SCS
SB 318-Lembke, with SCS
SB 398-Barnitz
SB 357-Purgason
SB 485-Pearce
SB 480-Shoemyer

SB 394-Ridgeway, with SCS
SB 464-Stouffer
SB 447-Pearce
SB 399-Justus
SB 387-Barnitz
SB 386-Lager
SB 377-Rupp
SB 266-Mayer
SB 253-Justus, with SCS
SB 526-Clemens

Reported 3/12

SB 507-Callahan
SB 563-Smith, with SCS

SB 411-Crowell, with SCS
SB 161-Crowell

RESOLUTIONS

Reported from Committee

SR 141-Engler, with point of order (pending)
SCR 7-Pearce
SR 207-Lembke and Smith, with SCS
& SS for SCS (pending)
SCR 11-Bartle, et al

SCR 14-Schmitt
SCR 21-Clemens
SCR 10-Rupp
SCR 18-Bartle and Rupp
SCR 23-Schmitt

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