

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—MONDAY, MARCH 22, 2010

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Where the will of God leads you, the grace of God will keep you.” *(Unknown)*

Almighty God, we are grateful to return to our work and to arrive safely here to take up our responsibilities. We thank You for Your continued guidance for those who seek it and pray that it will be with us in this new week. There is much that is required of us this week and we are thankful for health and energy to pursue what You expect of us and so we give You thanks and praise and delight in Your gift of presence. 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 for Thursday, March 18, 2010 was read and approved.

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	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Barnitz offered Senate Resolution No. 1908, regarding the Sixtieth Anniversary of the Pulaski County Health Department, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1909, regarding Ryan Eddy Houghtaling, which was adopted.

Senator Schmitt offered Senate Resolution No. 1910, regarding David “Chubbs” Stillman, which was adopted.

Senator Bray offered Senate Resolution No. 1911, regarding Brentwood Middle School, St. Louis County, which was adopted.

Senator Lager offered Senate Resolution No. 1912, regarding Zane Eric Clark, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 1913, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Vincent Wells, Milan, which was adopted.

Senator Lager offered Senate Resolution No. 1914, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Jamison, Brookfield, which was adopted.

Senator Barnitz offered Senate Resolution No. 1915, regarding Rose K. Bartlett, Linn, which was adopted.

Senator Goodman offered Senate Resolution No. 1916, regarding Bob and Debbie Berger, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 1917, regarding Alexander D. “Alex” Brinley, Marionville, which was adopted.

Senator Goodman offered Senate Resolution No. 1918, regarding Sharon Garrett, Purdy, which was adopted.

Senators Schmitt and Cunningham offered Senate Resolution No. 1919, regarding Dr. Craig Larson, which was adopted.

Senator Vogel offered Senate Resolution No. 1920, regarding the Jefferson City Host Lions Club, which was adopted.

Senator Mayer offered Senate Resolution No. 1921, regarding Raymond Lasley, which was adopted.

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

SENATE RESOLUTION NO. 1922

Whereas, the members of the Missouri Senate feel it is altogether right and proper to pause from time to time to observe exemplary accomplishments of Missouri citizens who have distinguished themselves as exceptional athletes and competitors; and

Whereas, the members now pause to recognize David “Chubbs” Stillman, an eighteen-year-old senior at Kirkwood High School and a valued manager for the Pioneers varsity basketball team; and

Whereas, for the past four years, Chubbs Stillman has been working behind the scenes handing out cups of water and dry towels, slapping “high-fives”, and building up rapport with the varsity players and coaches; and

Whereas, on Monday, January 4, 2010, in the Kirkwood High School gymnasium as a game against Fox High School was rapidly drawing to a close, Chubbs Stillman was sent out on the court, this time as a player wearing jersey #23, the same number as his basketball hero Michael Jordan; and

Whereas, with his feet planted firmly on the court behind the 3-point line right in front of his own bench, Chubbs Stillman caught a perfectly thrown pass from senior guard Ahmad Hicks and then sent the ball on its way to the basket; and

Whereas, the three-point shot launched by Chubbs Stillman swished the net to cinch the victory as his teammates and fans jumped to their feet and raised him on their shoulders as a newly-certified Big Man on Campus; and

Whereas, remarkably, Chubbs Stillman had never before played in a high school basketball game before being thrust into the spotlight in the waning seconds of a Kirkwood-Fox basketball game that will be celebrated for a long, long time; and

Whereas, David Stillman is the devoted son of Kevin and Ann Stillman, the brother of Adam and Nate and sister, Laura; and

Whereas, it is an honor and a pleasure for the members of the Missouri Senate to recognize outstanding young Missouri citizens like David Stillman:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-fifth General Assembly, extend our most sincere congratulations to David Stillman on this momentous occasion; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to David Stillman.

Senator Shoemyer offered Senate Resolution No. 1923, regarding the Eightieth Wedding Anniversary of Mr. and Mrs. Russell Itschner, Perry, which was adopted.

Senator Purgason offered Senate Resolution No. 1924, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Lester A. Graff, Lebanon, which was adopted.

Senator Purgason offered Senate Resolution No. 1925, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jessie James Duncan, Lebanon, which was adopted.

THIRD READING OF SENATE BILLS

Senator McKenna moved that **SCS** for **SB 782** be called from the Consent Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator McKenna, **SCS** for **SB 782** 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	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Vogel	Wilson—30		

NAYS—Senators—None

Absent—Senators

Green	Purgason	Stouffer	Wright-Jones—4
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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.

SB 915, with **SCS**, introduced by Senator Barnitz, entitled:

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to transient guest taxes for tourism.

Was called from the Consent Calendar and taken up.

SCS for **SB 915**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 915

An Act to repeal sections 67.1000 and 67.1360, RSMo, and to enact in lieu thereof two new sections relating to transient guest taxes for tourism.

Was taken up.

Senator Barnitz moved that **SCS** for **SB 915** be adopted, which motion prevailed.

On motion of Senator Barnitz, **SCS** for **SB 915** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager	Mayer
McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt	Scott
Shields	Shoemyer	Vogel	Wilson—28				

NAYS—Senators

Cunningham Lembke—2

Absent—Senators

Green Purgason Stouffer Wright-Jones—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Kinder assumed the Chair.

SB 863, with **SCS**, introduced by Senator Callahan, entitled:

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to the imposition of a transient guest tax by certain cities.

Was called from the Consent Calendar and taken up.

SCS for SB 863, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 863

An Act to amend chapter 94, RSMo, by adding thereto three new sections relating to the imposition of a transient guest tax by certain cities.

Was taken up.

Senator Callahan moved that **SCS for SB 863** be adopted, which motion prevailed.

On motion of Senator Callahan, **SCS for SB 863** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager	Mayer
McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt	Scott
Shields	Shoemyer	Vogel	Wilson	Wright-Jones—29			

NAYS—Senators

Cunningham Lembke—2

Absent—Senators

Green Purgason Stouffer—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 862, with **SCS**, introduced by Senator Callahan, entitled:

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to a local sales tax for the promotion of tourism.

Was called from the Consent Calendar and taken up.

SCS for SB 862, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 862

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof three new sections relating to transient guest taxes.

Was taken up.

Senator Callahan moved that **SCS** for **SB 862** be adopted, which motion prevailed.

On motion of Senator Callahan, **SCS** for **SB 862** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager	Mayer
McKenna	Nodler	Pearce	Ridgeway	Rupp	Schaefer	Schmitt	Scott
Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—30		

NAYS—Senators

Cunningham Lembke—2

Absent—Senators

Green Purgason—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 919, introduced by Senator Ridgeway, entitled:

An Act to repeal section 182.647, RSMo, and to enact in lieu thereof one new section relating to library reports.

Was called from the Consent Calendar and taken up.

On motion of Senator Ridgeway, **SB 919** 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	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

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

Senator Griesheimer assumed the Chair.

SB 860, introduced by Senator Bray, entitled:

An Act to repeal section 67.110, RSMo, and to enact in lieu thereof one new section relating to ad valorem property tax rates.

Was called from the Consent Calendar and taken up.

On motion of Senator Bray, **SB 860** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager	Lembke
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senator Cunningham—1

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 700, with **SCS**, introduced by Senator Lager, entitled:

An Act to repeal section 67.2000, RSMo, and to enact in lieu thereof one new section relating to the creation of exhibition and recreational facility districts.

Was called from the Consent Calendar and taken up.

SCS for **SB 700**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 700

An Act to repeal section 67.2000, RSMo, and to enact in lieu thereof one new section relating to the creation of exhibition and recreational facility districts.

Was taken up.

Senator Lager moved that **SCS** for **SB 700** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 700** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Griesheimer	Justus	Keaveny	Lager	Mayer
McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—31	

NAYS—Senators

Cunningham Lembke—2

Absent—Senator Green—1

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.

SB 851, introduced by Senator Schmitt, et al, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to public notice required for certain meetings of political subdivisions.

Was called from the Consent Calendar and taken up.

On motion of Senator Schmitt, **SB 851** 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	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer	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 Schmitt, title to the bill was agreed to.

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

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

SB 981, introduced by Senator Callahan, entitled:

An Act to repeal section 94.577, RSMo, and to enact in lieu thereof one new section relating to taxes imposed by certain cities to fund public safety activities including operations and capital improvements, with an emergency clause.

Was called from the Consent Calendar and taken up.

On motion of Senator Callahan, **SB 981** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—32

NAYS—Senators

Cunningham Lembke—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Stouffer	Vogel	Wilson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Shoemyer—1

Absent with leave—Senators—None

Vacancies—None

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

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

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

SB 942, with **SCS**, introduced by Senator Rupp, entitled:

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to research park annexation.

Was called from the Consent Calendar and taken up.

SCS for **SB 942**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 942

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the annexation of property within research, development, and office park projects.

Was taken up.

Senator Rupp moved that **SCS** for **SB 942** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 942** 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	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

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.

SB 929, introduced by Senator Lager, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to counties contracting for wholesale water services.

Was called from the Consent Calendar and taken up.

Senator Rupp assumed the Chair.

On motion of Senator Lager, **SB 929** 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	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

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

SENATE BILLS FOR PERFECTION

At the request of Senator Cunningham, **SJR 25**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Griesheimer, **SB 698**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Ridgeway, **SJR 38** was placed on the Informal Calendar.

Senator Griesheimer moved that **SB 741** be taken up for perfection, which motion prevailed.

On motion of Senator Griesheimer, **SB 741** was declared perfected and ordered printed.

Senator Barnitz moved that **SB 845** be taken up for perfection, which motion prevailed.

On motion of Senator Barnitz, **SB 845** was declared perfected and ordered printed.

Senator Scott moved that **SB 991** and **SB 645**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 991** and **645**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 991 and 645**

An Act to repeal sections 8.650, 8.900, 21.475, 21.780, 26.600, 26.603, 26.605, 26.607, 26.609, 26.611, 26.614, 32.250, 32.260, 162.1000, 162.1060, 166.203, 170.250, 190.176, 192.350, 192.352, 192.355, 192.735, 192.737, 192.739, 192.742, 192.745, 199.001, 199.003, 199.007, 199.009, 199.010, 199.029, 199.031, 199.037, 199.039, 199.041, 199.043, 199.051, 207.023, 208.175, 208.195, 208.275, 208.530, 208.533, 208.535, 208.792, 208.955, 210.496, 253.375, 260.370, 260.372, 260.705, 260.720, 260.725, 260.735, 262.217, 286.001, 286.005, 286.200, 286.205, 286.210, 302.136, 304.028, 320.094, 320.205,

324.406, 324.475, 324.478, 324.481, 331.030, 331.070, 334.721, 344.060, 361.070, 361.092, 361.093, 361.094, 361.095, 361.096, 361.097, 361.098, 361.105, 362.040, 362.105, 362.111, 362.325, 369.014, 369.024, 369.144, 369.159, 369.294, 369.299, 369.304, 369.309, 369.314, 369.319, 369.329, 371.060, 371.090, 371.240, 620.638, 620.641, 620.644, 620.647, 620.650, 620.653, 622.055, 622.057, 630.910, 630.915, 632.020, 660.010, and 701.302, RSMo, and to enact in lieu thereof ninety-two new sections relating to the sole purpose of repealing and revising certain state boards, councils, committees, and commissions.

Was taken up.

Senator Scott moved that **SCS** for **SBs 991** and **645** be adopted.

At the request of Senator Scott, **SB 991** and **SB 645**, with **SCS** (pending), were placed on the Informal Calendar.

Senator Shields moved that **SB 944**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 944**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 944

An Act to repeal sections 144.010 and 144.030, RSMo, and to enact in lieu thereof two new sections relating to sales and use tax exemptions.

Was taken up.

Senator Shields moved that **SCS** for **SB 944** be adopted, which motion prevailed.

On motion of Senator Shields, **SCS** for **SB 944** was declared perfected and ordered printed.

Senator Lembke moved that **SB 816** be taken up for perfection, which motion prevailed.

Senator Scott assumed the Chair.

Senator Lembke offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 816, Page 2, Section 143.811, Line 31, by striking “forty-five” and inserting in lieu thereof the following: “**ninety**”; and further amend line 33, by striking “forty-five” and inserting in lieu thereof the following: “**ninety**”.

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

On motion of Senator Lembke, **SB 816**, as amended, was declared perfected and ordered printed.

At the request of Senator Lager, **SB 928** was placed on the Informal Calendar.

Senator Dempsey moved that **SB 628** be taken up for perfection, which motion prevailed.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 628, Page 2, Section 55.030, Line 26 by striking all of said line and inserting in lieu thereof the following: “**original value of one thousand dollars or more**”.

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

On motion of Senator Dempsey, **SB 628**, as amended, was declared perfected and ordered printed.

Senator Pearce moved that **SB 777**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 777** was again taken up.

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 777, Page 6, Section 408.233, Lines 17-19, by striking all of the opening and closing brackets and bold-faced words on said lines.

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

Senator Pearce moved that **SCS** for **SB 777**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 777**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 22, 2010

To the Senate of the 95th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Vernon Dawdy, Democrat, 2339 Spyglass Summit Drive, High Ridge, Jefferson County, Missouri 63049, as a member of the Missouri Ethics Commission, for a term ending March 15, 2014, and until his successor is duly appointed and qualified; vice, Michael Kilgore, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 22, 2010

To the Senate of the 95th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John A. Joslyn, Republican, 10 Patterson Avenue, Branson, Stone County, Missouri 65616, as a member of the Tourism Commission, for a term ending January 15, 2014, and until his successor is duly appointed and qualified; vice, Sharon Garrett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 22, 2010

To the Senate of the 95th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Louis J. Leonatti, Republican, 1423 Briarwood Place, Mexico, Audrain County, Missouri 65265, as a member of the Missouri Ethics Commission, for a term ending March 15, 2014, and until his successor is duly appointed and qualified; vice, Ken Legan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Shields referred the above appointments to the Committee on Gubernatorial Appointments.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for HB 2014—Appropriations.

Senator Shields requested unanimous consent of the body for the Senate Chamber to be used for the Rebooting State Government process on Tuesday, March 23, 2010, which request was granted.

On motion of Senator Engler, the Senate recessed until 7:30 p.m.

RECESS

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

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 **HCR 16**.

HOUSE CONCURRENT RESOLUTION NO. 16

Whereas, the rivers and streams of the State of Missouri are a great natural resource and benefit to the citizens of Missouri and the aquatic life therein; and

Whereas, these rivers and streams run through the heartland and fertile bottom lands that produce our abundant food supply; and

Whereas, the farmers and landowners who have lived and farmed on these stream banks for generations have the right to protect and preserve their precious soil; and

Whereas, these streams need to be managed in a manner that is beneficial to the stream's aquatic life as well as the farmer's interest in protecting private property; and

Whereas, the federal and state agencies in charge of regulating in-stream activities, including stream bank stabilization, gravel removal and excavation, willow removal, or a combination thereof, and their commenting groups should use unbiased scientific studies and evidence of projects completed in the past by agencies or individuals; and

Whereas, the federal and state agencies as well as their commenting groups that are in charge of protecting the aquatic life and environment of these streams and rivers should base their decisions and practices on unbiased scientific studies or facts and not undertake actions to achieve policy goals:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fifth General Assembly, Second Regular

Session, the Senate concurring therein, hereby promote the use of sound scientific research and data that is produced from unbiased university studies; and

Be it further resolved that federal and state agencies as well as their commenting groups base past and future decisions and practices involving any stream activity inside the high banks on unbiased scientific university studies along with practices that have been proven effective over generations of landowner implementing; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Army Corps of Engineers, the Bureau of Land Management and the Fish and Wildlife Service within the United States Department of Interior, the United States Environmental Protection Agency, the United States Department of Agriculture, the Missouri Department of Conservation, the Missouri Department of Agriculture, and the Missouri Department of Natural Resources.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 52**.

HOUSE CONCURRENT RESOLUTION NO. 52

Whereas, sickle cell disease is an inherited blood disorder that affects red blood cells. People with sickle cell disease have red blood cells that contain an abnormal type of hemoglobin; and

Whereas, normal red blood cells contain hemoglobin A. Hemoglobin S and hemoglobin C are abnormal types of hemoglobin; and

Whereas, red blood cells containing mostly hemoglobin S do not live as long as normal red blood cells and have difficulty passing through the body's small vessels. These hemoglobin S red blood cells can block small blood vessels, resulting in tissue damage due to less blood reaching that portion of the body; and

Whereas, sickle cell trait is an inherited condition in which both hemoglobin A and S are produced in the red blood cells, always more A than S. Sickle cell trait is not a type of sickle cell disease; and

Whereas, sickle cell conditions are inherited from parents in much the same way as blood type, hair color and texture, eye color and other physical traits. The types of hemoglobin a person makes in the red blood cells depend upon what hemoglobin genes the person inherits from his or her parents; and

Whereas, since sickle cell conditions are inherited from parents, it is important for people to be aware if they are a carrier before having children; and

Whereas, more than 80,000 people in the United States have sickle cell disease, affecting mostly persons of African heritage according to the National Institute of Health. Currently, there is no universal cure for sickle cell disease; and

Whereas, sickle cell disease results in a shortened life expectancy, with the average life expectancy being 42 years for men and 48 years for women; and

Whereas, based on the population of 5 million in the State of Missouri, 600,000 are African American. 1 out of 400 suffers with sickle cell conditions and 1 out of 12 has the sickle cell trait; and

Whereas, with these estimated numbers, there are approximately 1,500 individuals with sickle cell conditions and 50,000 individuals with sickle cell trait in the State of Missouri; and

Whereas, approximately 700 children, adolescents, and young adults with sickle cell disease reside in the St. Louis Metropolitan area. However, less than 25% of this sickle cell population will graduate from high school or seek higher education; and

Whereas, health maintenance for persons with sickle cell disease starts with early diagnosis, preferably when a newborn; and

Whereas, treatment of complications often includes antibiotics, pain management, intravenous fluids, blood transfusions, and surgery in combination with psychosocial support; and

Whereas, there are promising new treatments being developed which can prevent red blood cells from sickling without causing harm to other parts of the body, reduce the frequency of severe pain, acute chest syndrome, and the need for blood transfusions, and provide options to eliminate iron overload caused by repeated blood transfusions; and

Whereas, public awareness about sickle cell trait and disease and the numerous programs and screening available is vital to reduce to pervasiveness of sickle cell conditions:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fifth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate the week of May 9 - 15, 2010, as "Sickle Cell Awareness Week" in Missouri; and

Be it further resolved that the General Assembly encourages and urges all citizens of this state to participate in activities during Sickle Cell Awareness Week to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 944**; **SB 845**; **SB 816**; **SCS** for **SB 777**; **SB 741**; and **SB 628**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Griesheimer moved that **SB 698**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 698**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 698

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to exchange access rates.

Was taken up.

Senator Griesheimer moved that **SCS** for **SB 698** be adopted.

At the request of Senator Griesheimer, **SB 698**, with **SCS** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, Kevin and Ann Stillman and their children, David, Laura, Adam and Nate, St. Louis County.

Senator Shields introduced to the Senate, Scoutmaster Steve Hubble and members of Boy Scout Troop 11, Jefferson City.

Senator Rupp introduced to the Senate, Carissa Mattern, O'Fallon.

On motion of Senator Engler, the Senate adjourned until 12:00 p.m., Tuesday, March 23, 2010.

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 23, 2010

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|---|--------------------------|
| 1. SB 627-Justus (In Fiscal Oversight) | 6. SB 845-Barnitz |
| 2. SJR 20-Bartle (In Fiscal Oversight) | 7. SB 816-Lembke |
| 3. SB 779-Bartle (In Fiscal Oversight) | 8. SCS for SB 777-Pearce |
| 4. SS for SB 786-Rupp (In Fiscal Oversight) | 9. SB 741-Griesheimer |
| 5. SCS for SB 944-Shields | 10. SB 628-Dempsey |

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------|--------------------------------|
| 1. SB 829-Schaefer, with SCS | 11. SB 714-Crowell |
| 2. SB 849-Barnitz | 12. SB 877-Keaveny |
| 3. SB 1002-Wilson | 13. SB 985-Goodman |
| 4. SB 945-Bray | 14. SB 1001-Griesheimer |
| 5. SB 606-Stouffer | 15. SB 979-Rupp, with SCS |
| 6. SB 893-Days | 16. SB 894-Dempsey and Crowell |
| 7. SB 833-Goodman | 17. SB 987-Stouffer |
| 8. SB 797-Green | 18. SB 784-Schaefer and Pearce |
| 9. SB 787-Rupp, with SCS | 19. SB 963-Shoemyer, with SCS |
| 10. SB 757-Rupp and Schmitt | |

HOUSE BILLS ON THIRD READING

HB 1442-Jones (89), et al, with SCS (Nodler)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 579-Shields, with SCS | SB 596-Callahan, with SCS (pending) |
| SB 587-Nodler and Cunningham, with SCS &
SA 1 (pending) | SBs 607, 602, 615 & 725-Stouffer, with
SCS & SA 1 (pending) |

SB 625-Justus and Keaveny, with SCS
 SB 698-Griesheimer, with SCS (pending)
 SB 738-Crowell, with SCS
 SB 792-Dempsey and Rupp, with SS (pending)
 SB 793-Mayer, et al, with SCS, SA 1 & SA 1 to
 SA 1 (pending)
 SB 818-Lembke, with SCS (pending)
 SB 839-Wright-Jones, with SCS
 SB 852-Lager, et al, with SS, SA 1 & SSA 1 for
 SA 1 (pending)
 SB 878-Lembke, with SCS (pending)
 SBs 880, 780 & 836-Schaefer, with SCS
 SBs 895, 813, 911, 924, 922 &
 802-Dempsey, et al, with SCS (pending)

SB 896-Shields and Crowell
 SB 905-Bray, et al, with SCS (pending)
 SB 928-Lager
 SBs 991 & 645-Scott, with SCS (pending)
 SJR 22-Callahan
 SJR 25-Cunningham, et al, with SCS
 SJR 29-Purgason and Cunningham, with SCS
 & SS for SCS (pending)
 SJR 31-Scott
 SJR 33-Bartle, with SA 1 (pending)
 SJR 34-Goodman, et al, with SA 1 (pending)
 SJR 38-Ridgeway
 SJR 40-Goodman, with SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 42-Bray, with SCA 1
 HCS for HCR 18, with SA 1 (pending) (Rupp)
 SCR 33-Nodler

SCR 46-Stouffer
 HCR 38-Icet, et al, with SCA 1

To be Referred

HCR 16-Loehner, et al

HCR 52-Gray, et al

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