

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIRST DAY—TUESDAY, APRIL 15, 2008

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“It is in deep solitude that I find the gentleness with which I can truly love.” (Thomas Merton)

Almighty God, it is often in quiet and reclusion that we find our longing for You is most pronounced and it is then we recognize our need for more time to be away from the constant business of our lives. Help us to make such time and use it to strengthen our minds, bodies and spirits and learn the true love You have for us and we are to have for others. 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
Days	Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer
Justus	Kennedy	Koster	Lager	Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34						

Absent—Senators—None

Absent with leave—None

Vacancies—None

The Lieutenant Governor was present.

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

Senator Rupp assumed the Chair.

RESOLUTIONS

Senator Gibbons offered Senate Resolution No. 2359, regarding Laura Deutschmann, which was adopted.

Senator Gibbons offered Senate Resolution No. 2360, regarding Irene Henry, which was adopted.

Senator Gibbons offered Senate Resolution No. 2361, regarding Izzy Carter, which was adopted.

Senator Purgason offered Senate Resolution No. 2362, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronald Robertson, Lebanon, which was adopted.

Senator Purgason offered Senate Resolution No. 2363, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Doyle Pierce, Montreal, which was adopted.

Senator Purgason offered Senate Resolution No. 2364, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Luke Van Ooyen, Lebanon, which was adopted.

Senator Purgason offered Senate Resolution No. 2365, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Wheeler, Lebanon, which was adopted.

Senator Wilson offered Senate Resolution No. 2366, regarding Viviana Ochoa Delgado, Kansas City, which was adopted.

Senator Graham offered Senate Resolution No. 2367, regarding Jessica Schepker, Columbia, which was adopted.

Senator Vogel offered Senate Resolution No. 2368, regarding John Anthony Vignola, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No. 2369, regarding Andrew Joseph Schwarzer, Jefferson City, which was adopted.

Senator Scott offered Senate Resolution No. 2370, regarding the Class 4 State Champion Bolivar High School Lady Basketball Liberators, which was adopted.

Senator Scott offered Senate Resolution No. 2371, regarding the Class 3 State Champion Skyline High School Basketball Lady Tigers, which was adopted.

Senator Scott offered Senate Resolution No. 2372, regarding Trent Michael Clark, which was adopted.

Senator Graham offered Senate Resolution No. 2373, regarding STRIPES, which was adopted.

Senator Loudon offered Senate Resolution No. 2374, regarding Andrew Garland Bohn, Ballwin, which was adopted.

Senator Mayer offered Senate Resolution No. 2375, regarding Mary Patricia Brown, Poplar Bluff, which was adopted.

Senator Mayer offered Senate Resolution No. 2376, regarding Charles Hayes, Poplar Bluff, which was adopted.

Senator Mayer offered Senate Resolution No. 2377, regarding Harry Elmer Prouty, Williamsville, which was adopted.

Senator Mayer offered Senate Resolution No. 2378, regarding Faye Dockins, Malden, which was adopted.

Senator Mayer offered Senate Resolution No. 2379, regarding Kathie Miller, Dexter, which was adopted.

Senator Engler offered Senate Resolution No. 2380, regarding Danny Bequette, which was adopted.

Senator Stouffer offered Senate Resolution No. 2381, regarding the Central Methodist University chapter of Lambda Alpha Epsilon, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Shields, 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 1081** and **SCS** for **SB 1139**, 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.

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

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HCS** for **HB 1380**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HCS** for **HB 2036**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HB 1946**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HB 1656**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

President Pro Tem Gibbons assumed the Chair.

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

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1849**, begs leave to report that it has considered the same and recommends that the bill do pass

and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1640**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1570**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1469**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1348**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Rupp assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Shields moved that **SB 1234** and **SB 1270**, with **SCS**, **SS** for **SCS** and **SA 5** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Shields, **SS** for **SCS** for **SBs 1234** and **1270** was withdrawn rendering the pending **SA 5** moot.

Senator Shields offered **SS No. 2** for **SCS** for **SBs 1234** and **1270**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 1234 and 1270

An Act to repeal sections 135.950 and 135.967, RSMo, and to enact in lieu thereof three new sections relating to enhanced enterprise zones.

Senator Shields moved that **SS No. 2** for **SCS** for **SBs 1234** and **1270** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 23, Section 135.968, Line 6, by striking the word “first” and inserting in lieu thereof, “second”.

Senator Callahan moved that the above amendment be adopted.

Senator Callahan offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 23, Section 135.968, Line 6, by striking the word “first” and inserting in lieu thereof, “second”; and further amend said page and section, line 20, by striking the word “first” and inserting in lieu thereof “second”.

Senator Callahan moved that the above substitute amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SSA 1 for SA 1; SA 1**; adoption of **SS No. 2 for SCS for SBs 1234 and 1270** and perfection of the bill.

Senator Callahan offered **SA 1 to SSA 1 for SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 1, In the Title, Line 1, by inserting after the number “1270” the following:

“Page 22, Section 135.968, Line 26, by inserting immediately after the word ‘directly’ the following:
‘or indirectly’; and

Further amend”.

Senator Callahan moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 1 to SSA 1 for SA 1**.

At the request of Senator Callahan, **SA 1 to SSA 1 for SA 1** was withdrawn.

Senator Callahan offered **SA 2 to SSA 1 for SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 1, Line 5, by inserting after all of said line the following:

“and further amend page 22, section 135.968, line 26, by inserting immediately after the word ‘directly’ the following:

‘or indirectly’; and

Further amend page 23, line 22, by inserting after all of said line the following:

‘14. Provisions of subsections 12 and 13 of this section shall not apply to any construction worker or any laborer involved in the manufacturing or assembly of the taxpayer's end product.’”.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Callahan, **SA 2 to SSA 1 for SA 1** was withdrawn.

Senator Callahan offered **SA 3 to SSA 1 for SA 1**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 1, Line 5, by inserting after all of said line the following:

“and further amend page 22, section 135.968, line 26, by inserting immediately after the word ‘directly’ the following:

‘**or indirectly**’; and

Further amend page 23, line 22, by inserting after all of said line the following:

‘14. For purposes of subsection 12 of this section the term ‘indirectly’, shall mean any person employed by the taxpayer in the capacity of bond counsel on behalf of the taxpayer, any law firm representing the taxpayer, a member of the board of directors of the taxpayer, an officer of the taxpayer, or a lobbyist for the taxpayer.’”.

Senator Callahan moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Barnitz, Green, Koster and Smith.

SA 3 to SSA 1 for SA 1 was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Coleman	Crowell	Days	Dempsey
Graham	Green	Justus	Kennedy	Koster	Lager	Mayer	McKenna
Shoemyer	Smith	Wilson—19					

NAYS—Senators

Champion	Engler	Gibbons	Griesheimer	Loudon	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Stouffer	Vogel—13			

Absent—Senator Clemens—1

Absent with leave—Senator Goodman—1

Vacancies—None

SSA 1 for SA 1, as amended, was again taken up.

Senator Callahan moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Coleman, Days, Koster and Green.

SSA 1 for SA 1, as amended, was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Coleman	Crowell	Days
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Dempsey	Engler	Gibbons	Graham	Green	Griesheimer	Justus	Kennedy
Koster	Lager	Loudon	Mayer	McKenna	Nodler	Scott	Shoemyer
Smith	Wilson—26						

NAYS—Senators

Clemens	Purgason	Ridgeway	Rupp	Shields	Stouffer	Vogel—7
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Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Goodman—1

Vacancies—None

Senator Callahan offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 20, Section 135.968, Lines 6-17, by striking said lines.

Senator Callahan moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 2**.

At the request of Senator Callahan, **SA 2** was withdrawn.

At the request of Senator Shields, **SB 1243** and **SB 1270**, with **SCS** and **SS No. 2** for **SCS**, as amended (pending), were placed on the Informal Calendar.

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Appropriations, to which was referred **HB 2001**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2002**, 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 2003**, 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 **HB 2004**, 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 2005**, 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 2006**, 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 2007**, 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 2008**, 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 2009**, 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 2010**, 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 2011**, 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 2012**, 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 2013**, 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 **HB 1710**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HB 1972**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HB 1973**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 2204**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 1783**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HB 1784**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HB 1313**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HB 1824**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1550**, entitled:

An Act to repeal sections 167.031, 211.021, 211.033, 211.034, 211.041, 211.061, 211.071, 211.091, 211.101, and 211.161, RSMo, and to enact in lieu thereof eleven new sections relating to juvenile courts, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Shields, the Senate recessed until 3:30 p.m.

RECESS

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

President Pro Tem Gibbons assumed the Chair.

RESOLUTIONS

Senator Rupp offered Senate Resolution No. 2382, regarding the Cottleville Fire Protection District, which was adopted.

Senator Rupp offered Senate Resolution No. 2383, regarding Jason Singleton, Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 2384, regarding Deidre Malena Davis, Lake St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2385, regarding the St. Louis Chapter of JUGS, Inc., which was adopted.

Senator Vogel offered Senate Resolution No. 2386, regarding Command Sergeant Major Darrel Calton, Versailles, which was adopted.

Senator Koster offered Senate Resolution No. 2387, regarding Floyd C. McComas, Nevada, which was adopted.

Senator Crowell offered Senate Resolution No. 2388, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenneth Lindsay, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2389, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Bob L. Matthews, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2390, regarding the Fiftieth Wedding Anniversary of Reverend and Mrs. Marvin Butrum, which was adopted.

Senator Crowell offered Senate Resolution No. 2391, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Moll, Perryville, which was adopted.

Senator Kennedy offered Senate Resolution No. 2392, regarding Francis R. Slay, Saint Louis, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HCS** for **HB 1893**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Lager assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Shields moved that **SB 1234** and **SB 1270**, with **SCS** and **SS No. 2** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS No. 2 for **SCS** for **SBs 1234** and **1270** was again taken up.

Senator Crowell offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 21, Section 135.968, Line 17, by inserting immediately after all of said line the following:

“8. No taxpayer shall receive tax credits under the provisions of this section, unless such taxpayer certifies to the department that it shall not enter into a contract with any individuals or entities that are listed on the Office of the Treasury's Office of Foreign Asset Control list of sanctioned entities. Prior to approval of an application for approval of a mega-project, the taxpayer shall establish that it has a compliance process in place to prevent transactions with entities that are listed on the Office of the Treasury's Office of Foreign Asset Control list of sanctioned entities.”; and

Further renumber the remaining subsections accordingly.

Senator Crowell moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 3**.

Senator Crowell offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 21, Section 135.968, Line 17, by inserting immediately after all of said line the following:

“8. No taxpayer who receives tax credits under the provisions of this section shall enter into a contract with any entity, its subsidiaries or affiliated entities which are known to sponsor terrorism or aid the government of countries that are known to sponsor terrorism. The department of economic development shall use the Office of the Treasury's Office of Foreign Asset Control (OFAC) list of sanctioned entities to screen for terrorist status. The department shall implement an anti-terrorism screening process or service to be provided by either a third party contract or through department staff for all taxpayers who receive tax credits under this section. The anti-terrorism screening process shall provide, at a minimum: the identification of entities that are reasonably known to be operating directly with the government or a government-controlled agency in sanctioned nations listed by the United States government; and the identification of entities engaged in the sponsorship of terrorism. The department shall not approve a mega-project, issue tax credits to a taxpayer, or allow a taxpayer to receive tax credits if such taxpayer is identified through the approved screening process. If a

taxpayer who receives tax credits under this section has violated the provisions of this subsection, the department shall:

- (1) Deny authorization for issuance of tax credits under this section;**
- (2) Not issue any tax credits, previously approved, but not yet issued to such taxpayer; and**
- (3) Recapture any tax credits issued to such taxpayer in the year in which the violation is made by means of a cash payment to the state in an amount equal to the tax credits issued.”; and**

Further renumber the remaining subsections accordingly.

Senator Crowell moved that the above substitute amendment be adopted.

Senator Callahan requested a roll call vote be taken on the adoption of **SSA 1** for **SA 3** and was joined in his request by Senators Crowell, Graham, Justus and Smith.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SSA 1** for **SA 3**.

Senator Shields offered **SA 1** to **SSA 1** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 1, Line 5, by striking all of said line and inserting in lieu thereof the following:

“entity which is known”.

Senator Shields moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 1** to **SSA 1** for **SA 3**.

At the request of Senator Shields, **SA 1** to **SSA 1** for **SA 3** was withdrawn.

Senator Shields offered **SA 2** to **SSA 1** for **SA 3**:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 1, Line 4, by inserting after the word “section” the following:

“or subsidiary of the taxpayer”; and

Further amend line 5, by striking all of said line and inserting in lieu thereof the following:

“entity or its subsidiaries which are known”; and

Further amend page 2, line 4 by inserting immediately after the word “section” the following:

“for the year in which the department determines that a violation of this subsection has

occurred”; and

Further amend lines 5-9 by striking all of said lines and inserting in lieu thereof the following:

“(2) Not issue any tax credits authorized under the provisions of this section to the taxpayer until such time as the department certifies that the taxpayer is in full compliance with the provisions of this subsection.”.

Senator Shields moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 2 to SSA 1 for SA 3**.

Senator Crowell requested a roll call vote be taken on the adoption of **SA 2 to SSA 1 for SA 3** and was joined in his request by Senators Callahan, Justus, Scott and Smith.

SA 2 to SSA 1 for SA 3 was adopted by the following vote:

YEAS—Senators

Barnitz	Bray	Champion	Clemens	Coleman	Dempsey	Engler	Gibbons
Griesheimer	Justus	Kennedy	Koster	Lager	Loudon	McKenna	Nodler
Ridgeway	Rupp	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson—24

NAYS—Senators

Callahan	Crowell	Graham	Green	Mayer	Purgason	Smith—7
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Absent—Senator Days—1

Absent with leave—Senator Bartle—1

Excused from voting—Senator Goodman—1

Vacancies—None

At the request of Senator Crowell, **SA 3** was withdrawn rendering the substitute amendment, as amended, moot.

Senator Crowell offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 1234 and 1270, Page 23, Section 135.968, Line 22 of said page, by inserting after all of said line the following:

“14. Provisions of this section to the contrary notwithstanding, no tax credit provided under this section shall be authorized for issuance until the general assembly adopts a concurrent resolution approving the department of economic development for authorization and issuance of mega-project tax credits.”.

Senator Crowell moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of **SA 4**.

Senator Callahan requested a roll call vote be taken on the adoption of **SA 4** and was joined in his request by Senators Coleman, Smith, Barnitz and Justus.

Senator Mayer assumed the Chair.

Senator Dempsey assumed the Chair.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Barnitz	Callahan	Crowell	Days	Graham	Green	Lager	Mayer
McKenna	Purgason	Shoemyer	Smith—12				

NAYS—Senators

Bray	Clemens	Coleman	Dempsey	Engler	Gibbons	Griesheimer	Justus
Kennedy	Koster	Nodler	Ridgeway	Rupp	Scott	Shields	Stouffer
Vogel	Wilson—18						

Absent—Senators

Champion Loudon—2

Absent with leave—Senator Bartle—1

Excused from voting—Senator Goodman—1

Vacancies—None

At the request of Senator Shields, **SB 1234** and **SB 1270**, with **SCS** and **SS No. 2** for **SCS**, as amended (pending), were placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Charles H. Butler, Republican, 670 West Thompson Street, Kahoka, Clark County, Missouri 63445, as a member of the Missouri Horse Racing Commission, for a term ending March 15, 2009, and until his successor is duly appointed and qualified; vice, Jewett Fulkerson, term expired.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

James T. Frakes, Republican, 2095 State Highway EE, Portageville, New Madrid County, Missouri 63873, as a member of the Hazardous Waste Management Commission, for a term ending April 28, 2012, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Samuel M. Hunter, Democrat, 1288 State Highway HH, Sikeston, Scott County, Missouri 63801, as a member of the Clean Water Commission, for a term ending April 12, 2012, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Robert F. Lawrence, 264 County Highway 469, Steele, Pemiscot County, Missouri 63877, as a member of the Well Installation Board, for a term ending February 24, 2012, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Timothy E. Schulte, Democrat, 916 Wolfrum Glen Court, Saint Peters, Saint Charles County, Missouri 63304, as a member of the Missouri Investment Trust Board of Trustees, for a term ending February 24, 2009, and until his successor is duly appointed and qualified; vice, Joseph Rechter, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Kevin Skibiski, 330 Texas Drive, Ozark, Christian County, Missouri 65721, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2011, and until his successor is duly appointed and qualified; vice, Cheri J. Leigh, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
April 15, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Douglas A. Wyckoff, Democrat, 8992 NW Barwick Drive, Cameron, Cardwell County, Missouri 64429, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2011, and until his successor is duly appointed and qualified; vice, Paul Stadlman, term expired.

Respectfully submitted,
MATT BLUNT

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

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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 1881**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

COMMUNICATIONS

Senator Engler submitted the following:

April 15, 2008

Terry Spieler

Secretary of the Missouri Senate

State Capitol, Room 325

Jefferson City, MO 65101

Dear Mrs. Secretary:

I would like to request that HB 1824, sponsored by Representative Charles Schlottach, be removed from the Consent Calendar. This bill would designate the ice cream cone as the official state dessert.

Thank you,

/s/ Kevin Engler

Senator Kevin Engler

INTRODUCTIONS OF GUESTS

Senator Days introduced to the Senate, Linda L. Moen, P.E., Springfield.

Senator Goodman introduced to the Senate, seventeen fourth grade students from Trinity Lutheran School, Freistatt.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Jonathan Pollack, M.D., Creve Coeur.

Senator Stouffer introduced to the Senate, Birdie Kueckelhan, and Robert and Mary Koth, Pilot Grove.

Senator Mayer introduced to the Senate, Vinnie and Rebekah Clubb, Piedmont.

Senator Ridgeway introduced to the Senate, Linden West, Elise Sabaski and students from Clay County.

Senator Loudon introduced to the Senate, eighty-one fourth grade students from Mason Ridge Elementary School, Creve Coeur.

Senator Kennedy introduced to the Senate, ninety-four eighth grade students from St. Margaret Mary Alacoque, St. Louis.

Senator Green introduced to the Senate, Theresa Kremer, parents and twenty-six seventh grade students from St. Angela Merici Elementary School, Florissant; and Russell Wohldmann, Zach Stealey, Jackie Schroeder and Katie Amrien were made honorary pages.

Senator Stouffer introduced to the Senate, Gary and Donna Rank and their grandchildren, Kayce Allen Hutton and Katy Dimes, Excelsior Springs; and Kayce and Katy were made honorary pages.

Senator Barnitz introduced to the Senate, Mark Corio, Robin Loehner, Ed Brungard, Ryan Diener and Katie Gessling, representatives of Conservation Leadership Corps.

Senator Bray introduced to the Senate, Joan Patton and twenty-one eighth grade students from Saint Mary Magdalen School, Brentwood.

On motion of Senator Shields, the Senate adjourned under the rules.

SENATE CALENDAR

 FIFTY-SECOND DAY—WEDNESDAY, APRIL 16, 2008

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HJR 70	HCS for HBs 1321 & 1695
HB 1319-Brown (50)	HB 1716-Guest, et al
HCS for HB 2321	HCS for HBs 1549, 1771, 1395 & 2366
HB 1923-Jones (117) and Pratt	HCS for HB 1332
HB 1981-Spreng, et al	HCS for HB 1550

THIRD READING OF SENATE BILLS

SS for SCS for SB 898-Clemens (In Fiscal Oversight)	SCS for SB 1081-Nodler and Green SCS for SB 1139-Dempsey, et al
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SENATE BILLS FOR PERFECTION

1. SB 861-Shoemyer, with SCS	8. SB 1172-Goodman, with SCS
2. SB 1180-Crowell	9. SB 1101-Bray, et al
3. SB 1278-Shields	10. SB 1283-Dempsey, et al, with SCS
4. SB 1057-Scott, with SCS	11. SB 1197-Crowell
5. SJR 43-Loudon	12. SB 1275-Vogel
6. SB 1183-Bray, with SCS	13. SB 1164-Loudon
7. SB 1158-Mayer, with SCS	

HOUSE BILLS ON THIRD READING

1. HB 1661-LeVota, et al (Ridgeway)	8. HCS for HB 2006, with SCS (Nodler)
2. HCS for HB 1779, with SCS (Griesheimer)	9. HCS for HB 2007, with SCS (Nodler)
3. HB 2001-Icet (Nodler)	10. HCS for HB 2008, with SCS (Nodler)
4. HCS for HB 2002, with SCS (Nodler)	11. HCS for HB 2009, with SCS (Nodler)
5. HCS for HB 2003, with SCS (Nodler)	12. HCS for HB 2010, with SCS (Nodler)
6. HB 2004-Icet, with SCS (Nodler)	13. HCS for HB 2011, with SCS (Nodler)
7. HCS for HB 2005, with SCS (Nodler)	14. HCS for HB 2012, with SCS (Nodler)
	15. HCS for HB 2013, with SCS (Nodler)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 712 & 882-Gibbons and Rupp, with SCS	SBs 993 & 770-Crowell, with SCS, SS for
SB 713-Gibbons, with SCS	SCS, SA 4 & SSA 1 for SA 4 (pending)
SB 716-Loudon, et al	SB 996-Crowell, with SCS
SB 717-Kennedy and Shields	SB 997-Crowell
SB 729-Griesheimer, with SCS	SB 1000-Justus
SB 749-Ridgeway, with SCS	SB 1007-Loudon, with SA 2 (pending)
SB 756-Engler and Rupp, with SCS (pending)	SBs 1021 & 870-Loudon, et al, with SCS,
SB 776-Justus and Koster, with SCS	SS for SCS & SA 1 (pending)
SB 809-Stouffer, with SCS, SS for SCS &	SB 1035-Scott, with SCS
SA 1 (pending)	SB 1040-Clemens, with SCS (pending)
SB 811-Stouffer, with SCS, SA 1 & point of	SB 1046-Mayer, with SA 1 & SSA 1 for SA 1
order (pending)	(pending)
SB 815-Goodman	SB 1052-Rupp
SB 817-Goodman	SB 1054-Dempsey, with SCS
SB 821-Shoemyer, with SCS (pending)	SB 1058-Mayer
SBs 840 & 857-Engler, with SCS & SS for SCS	SB 1067-Ridgeway, et al
(pending)	SB 1077-Goodman
SB 865-Rupp and Gibbons, with SCS	SB 1093-Loudon, et al
SB 874-Graham, with SCS	SB 1094-Loudon, with SCS
SB 881-Green	SB 1099-Graham, with SA 1 (pending)
SB 904-Griesheimer, with SCS	SB 1103-Gibbons
SBs 909, 954, 934 & 1003-Engler, with SCS	SB 1138-McKenna, with SCS
SB 915-Ridgeway	SBs 1234 & 1270-Shields, with SCS & SS#2
SB 917-Goodman, et al	for SCS (pending)
SB 929-Green and Callahan, with SCS	SB 1240-Dempsey
SB 957-Goodman	SB 1244-Barnitz and Purgason
SBs 982, 834 & 819-Purgason, with SCS	SJR 45-Clemens
SB 990-Champion	

CONSENT CALENDAR

House Bills

Reported 4/10

HB 1628-Cooper (120) (Scott)	HB 1711-Weter, et al, with SCS (Clemens)
HB 1670-Cooper (120) (Dempsey)	HB 1410-Flook, et al (Ridgeway)
HB 1828-Sutherland	HCS for HB 1888 (Clemens)
HCS for HB 1804, with SCS (Days)	HCS for HBs 1876 & 1877, with SCS (Mayer)
HB 2047-Curls, et al, with SCS (Callahan)	HCS for HB 1305, with SCS (Rupp)

HB 1368-Thomson (Lager)	HCS for HB 1309 (Crowell)
HCS for HB 1807, with SCS (Mayer)	HB 1952-Loehner, et al (Barnitz)
HB 1869-Wilson (130), et al (Goodman)	HB 1887-Parson (Scott)
HCS for HB 2048, with SCS (Engler)	HCS for HB 2360 (Lager)
HB 2213-Kraus, et al (Shields)	HB 1532-Davis, with SCS (Rupp)
HB 1422-St. Onge, et al, with SCS (Stouffer)	HB 1311-Hoskins, with SCS (Engler)
HB 1354-Wilson (119), et al (Scott)	HB 1426-Kraus (Green)
HCS for HB 1575 (Vogel)	

Reported 4/14

HB 1608-Ervin (Ridgeway)	HB 1419-Portwood (Loudon)
HB 2065-Wasson, with SCS (Scott)	HB 1791-Cooper (155), et al
HB 1450-Roorda, et al, with SCS (McKenna)	HB 1617-Cunningham (86), et al (Dempsey)
HCS for HB 2082	HB 1689-Wilson (130), with SCS (Scott)
HB 2233-Page, et al	HCS for HB 1690, with SCS (Scott)

Reported 4/15

HCS for HB 1380	HB 1710-Flook
HCS for HB 2036	HB 1972-Franz, with SCS
HB 1946-Franz, with SCS	HB 1973-Franz, with SCS
HB 1656-Nance and Cooper (120), with SCS	HCS for HB 2204, with SCS
HB 1849-Pratt and Curls	HCS for HB 1783
HB 1640-Schoeller, et al, with SCS (Goodman)	HB 1784-Meadows, et al
HB 1570-Franz, with SCS	HB 1313-Wright, et al
HB 1469-Pratt	HCS for HB 1893
HB 1348-Portwood and Darrough	HB 1881-Schlottach

RESOLUTIONS

Reported from Committee

SCR 31-Barnitz	SCR 39-Shields, with SCS
SCR 36-Green	SCR 29-Mayer

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