

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-THIRD DAY—THURSDAY, APRIL 17, 2008

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Age brings wisdom for those who are open to growth.” (Thomas Green)

Father of Light and Wisdom, thank You for giving us a mind that can know and a heart that can love. Help us to keep learning every day of our lives. Grant us the grace to put our knowledge to use in our work here and in our relationships at home. Grant us understanding so we know what others go through while we are here and their need for our love and presence when we are there. In Your Holy Name we pray. Amen..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—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Champion offered Senate Resolution No. 2404, regarding Frank Farmer, Springfield, which was adopted.

Senator Champion offered Senate Resolution No. 2405, regarding Don Wessel, Springfield, which was adopted.

Senator Champion offered Senate Resolution No. 2406, regarding Bill Turner, Springfield, which was adopted.

Senator Mayer offered Senate Resolution No. 2407, regarding the Seventieth Birthday of Polly Jane Sheets, Dexter, which was adopted.

Senator Callahan offered Senate Resolution No. 2408, regarding the death of William Southern "Bill" Carnes, Independence, which was adopted.

Senator Justus offered Senate Resolution No. 2409, regarding Kelly Pittman, which was adopted.

Senator Justus offered Senate Resolution No. 2410, regarding Casey E. Bruce, which was adopted.

Senator Mayer offered Senate Resolution No. 2411, regarding the Butler County Fire Department, which was adopted.

Senator Smith offered Senate Resolution No. 2412, regarding Nicholas Pisoni, St. Louis, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2413, regarding Jeannie Childress, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2414, regarding Teresa Cotton, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2415, regarding Barbara Campbell, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2416, regarding Terri Emel, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2417, regarding Jo Beth Harvey, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2418, regarding Jim Morgan, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2419, regarding Shari Moore, which was adopted.

Senator Shoemyer offered Senate Resolution No. 2420, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald Giltner, Louisiana, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2421, regarding Dr. Howard N. Short, Town and Country, which was adopted.

Senator Gibbons offered Senate Resolution No. 2422, regarding Mayor Mike Swoboda, Kirkwood, which was adopted.

Senator Green offered Senate Resolution No. 2423, regarding Betty Coll, Bellefontaine Neighbors, which was adopted.

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 7**.

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, international education is a critical component of higher education in Missouri and contributes to the economy of the state and to a diverse college environment, enhancing both academic and extra-curricular programs; and

Whereas, international education is critical to promoting a broadened worldview and therefore preparing Missourians for life and work in the global economy and creating a diverse academic environment by exchanging scholars and students between countries and building the foundation for future business success; and

Whereas, higher education should emphasize international education, including foreign language instruction and study abroad in order to ensure graduates have the cross-cultural skills necessary to function effectively in the global workforce; and

Whereas, the Missouri General Assembly recognizes the social importance of cultural awareness, the need to promote study-abroad programs that serve Missouri students and the economic significance of international students who come to Missouri for educational opportunities provided by the state; and

Whereas, the net contribution to our state's economy by international students and their families was estimated at over \$217 million in 2006-2007 and a strategy at the state and national level is needed to ensure America's status as a magnet for international students and scholars; and

Whereas, the economy of Missouri is inextricably tied to the rest of the world and state economic development depends upon a deliberate strategic development plan that includes recognition of the role of international education in all its facets; and

Whereas, heightened cultural awareness is critical to national interests and is a critical component of foreign policy, and Missouri's colleges and universities play a key role in developing foreign language and foreign-area expertise by promoting language study, study abroad, and faculty exchange programs; and

Whereas, the United States' national security and economic interests and competitiveness depend significantly on the country's ability to provide future leaders with the best education possible:

Now, therefore, be it resolved by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, that international education is an essential component of the future of the State of Missouri and the Missouri General Assembly supports and encourages students and faculty to promote international education as a part of curricular and extra-curricular life at the State's colleges and universities to ensure that students and future leaders are prepared to meet the challenges of a global society; 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 each institution of higher education in this state.

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 **HCS** for **HCR 21**.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 21

Whereas, the Department of Health and Senior Services is currently seeking to reform the current funding formula for the distribution of funds to area agencies on aging; and

Whereas, the Department is currently in discussions with the area agencies on aging and has conducted extensive research for a new formula for the distribution of funds to area agencies on aging that is more equitable to the needs of seniors; and

Whereas, a new formula will include more effective allowances for social and economic need as opposed to geographic location or population; and

Whereas, after completing its study on the issue, the House Interim Committee on Senior Nutrition concurred with the Department of Health and Senior Services that reform of the current funding formula for the distribution of funds to area agencies on aging would be a benefit to the seniors of this state; and

Whereas, in the final report of the House Interim Committee on Senior Nutrition, the Interim Committee supported the efforts of the Department of Health and Senior Services to reform the current funding formula for the distribution of funds to area agencies on aging:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby support and endorse the efforts of the Department of Health and Senior Services to more equitably meet the nutrition needs of our seniors by reforming the current funding formula for the distribution of funds to area agencies on aging; 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 Governor and the Director of the Department of Health and Senior Services.

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 5.

HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, the United States Department of Veterans Affairs (VA) provides medical care for veterans, including men and women, who have risked their lives to protect the security of our nation; and

Whereas, the funding for this health care at the VA is passed each year by Congress as part of the discretionary budget; and

Whereas, each year the budget that gets passed has been seriously underfunded; and

Whereas, this serious and now chronic shortfall affects the access to and the quality of medical care services that the VA provides for our veterans; and

Whereas, the priority of serving our veterans must be absolute and irrevocable, and must be the foundation for the VA and for our nation:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urgently request the United States Congress to pass assured funding for Veterans Health Care; and

Be it further resolved that the Governor and the Missouri Congressional Delegation are urgently requested to support assured funding for our veterans' health care; 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 President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the Secretary of Veterans Affairs, key members of Congress, all veterans organizations registered with the Missouri Veterans' Commission, and each member of the Missouri Congressional Delegation.

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 19.

HOUSE CONCURRENT RESOLUTION NO. 19

Whereas, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

Whereas, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

Whereas, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the “Deaf and Hard of Hearing Children's Bill of Rights” as follows:

- (1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;
- (2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;
- (3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;
- (4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;
- (5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;
- (6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;
- (7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;
- (8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;
- (9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;
- (10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;
- (11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;
- (12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and
- (13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

Be it further resolved that notwithstanding any of the above principles, nothing in this resolution shall require:

- (1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers; or
- (2) Parents to abrogate their statutory rights to educational choice; 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 each member of the Missouri Congressional Delegation.

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 8.

HOUSE CONCURRENT RESOLUTION NO. 8

Whereas, hydrocephalus is a serious neurological condition, characterized by the abnormal build up of cerebrospinal fluids in the ventricles of the brain; and

Whereas, there is no known cure for hydrocephalus, which effects an estimated one million Americans; and

Whereas, one or two in every one thousand babies are born with hydrocephalus; and

Whereas, over 375,000 older Americans have hydrocephalus which often goes undetected or misdiagnosed as dementia, Alzheimer's disease, or Parkinson's disease; and

Whereas, with appropriate diagnosis and treatment, people with hydrocephalus are able to live full and productive lives; and

Whereas, the standard treatment for hydrocephalus was developed in 1953 and carries multiple risks, including shunt failure, infection, and over drainage; and

Whereas, there are fewer than ten centers in the United States specializing in the treatment of adults with normal pressure hydrocephalus; and

Whereas, each year the people of the United States spend in excess of one million dollars to treat hydrocephalus; and

Whereas, the Hydrocephalus Association is one of the nation's oldest and largest patient and research advocacy and support network for individuals suffering from hydrocephalus; and

Whereas, further research into the epidemiology, pathology, disease burden, and improved treatment of hydrocephalus should be conducted and supported; and

Whereas, public awareness and professional education regarding hydrocephalus should increase through partnership between the local, state, and federal governments and patient advocacy organizations, such as the Hydrocephalus Association:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the month of April 2008 as "Hydrocephalus Awareness Month" in Missouri so that Missourians can become more familiar with hydrocephalus and the individuals dedicated to finding its cure; and

Be it further resolved that the Missouri General Assembly urges the federal government to collect comprehensive statistics and data regarding the seriousness of hydrocephalus and its impact on American families.

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 House has taken up and adopted HCR 16.

HOUSE CONCURRENT RESOLUTION NO. 16

Whereas, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the federal Social Security Act penalize people who have dedicated their lives to public and military service by taking away benefits they have earned; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years; and

Whereas, the WEP causes hard-working people to lose up to sixty percent of the benefits they earned themselves; and

Whereas, many workers rely on misleading Social Security Administration statements that fail to take into account the GPO and WEP when projecting benefits; and

Whereas, the impact of the GPO and WEP is not just felt in those states in which public employees, including retired veterans, are not covered by Social Security, because people move from state to state and affected individuals are everywhere; and

Whereas, the GPO and WEP apply to Missouri retired veterans; and

Whereas, the number of people affected across the country is growing every day as more and more people reach retirement age; and

Whereas, some 300,000 individuals lose an average of \$3,600 a year due to the GPO which can make the difference between self-sufficiency and poverty; and

Whereas, these people have less money to spend in their local economy and sometimes have to turn to expensive government programs like food stamps to make ends meet; and

Whereas, the nation should respect, not penalize, public and military service; and

Whereas, the GPO and WEP are established in federal law and repeal of the GPO and WEP can only be enacted by the United States Congress:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act; 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 President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

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 18**.

HOUSE CONCURRENT RESOLUTION NO. 18

Whereas, the western part of Missouri is a growing, vital part of Missouri's commerce and economic development; and

Whereas, U.S. Highway 71 is an important link for communities, companies, and citizens along this corridor; and

Whereas, the Missouri I-49 Coalition is a nonprofit organization consisting of concerned citizens, organizations, and communities organized for the sole purpose of improving U.S. Highway 71 to interstate standards and designating it as part of Interstate 49; and

Whereas, designation of U.S. Highway 71 as a part of I-49 will provide western Missouri with the shortest direct route into international commerce by way of the Gulf of Mexico at New Orleans:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby:

- (1) Recognize the Missouri I-49 Coalition as the official organization for this project in the State of Missouri;
- (2) Recognize the importance of I-49 to the State of Missouri;
- (3) Support the upgrading of U.S. Highway 71 to interstate standards;
- (4) Encourage the Missouri Department of Transportation to support conceptually the idea of an I-49 corridor;
- (5) Encourage the Missouri Congressional Delegation to pursue federal funds to assist with this project; and
- (6) Urge the United States Department of Transportation to support the designation of U.S. Highway 71 in Missouri as a part of Interstate 49; 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 Mary E. Peters, the Secretary of the United States Department of Transportation, Pete Rahn, the Director of the Missouri Department of Transportation, each member of the Missouri Highways and Transportation Commission, and each member of the Missouri Congressional Delegation.

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 26**.

HOUSE CONCURRENT RESOLUTION NO. 26

Whereas, providing art, drama, and music education teaches our children to compete creatively in our global economy; promotes greater success in math, reading, problem solving, decision making, self-esteem, self-discipline, and accepting responsibility to finish tasks; and contributes to higher attendance and graduation rates; and

Whereas, comprehensive arts education is eroding in our public schools, with instructional time for art and music being reduced by 22% in school districts; and

Whereas, the federal government recognizes the importance of art education in our children's education by designating it as a required core academic subject; and

Whereas, students who participate in the arts outperform those who do not on virtually every measure. Researchers have found that sustained learning in music and theater correlates to greater success in math and reading, with students from lower socioeconomic backgrounds reaping the greatest benefits; and

Whereas, the arts are uniquely able to boost learning and achievement for young children, students with disabilities, students from economically disadvantaged circumstances, and students needing remedial instruction. A 1992 Auburn University study found significant increases in self-concept of at-risk children participating in an arts program that included music, movement, dramatics, and arts, as measured by the Piers-Harris Children's Self-Concept Scale; and

Whereas, skills learned through the discipline of music transfer to study skills, communication skills, and cognitive skills useful in every part of the curriculum. In 1992, researchers at the University of Montreal used various brain imaging techniques to investigate brain activity during musical tasks and found that sight-reading musical scores and playing music both activate regions in all four of the cortex's lobes, and that parts of the cerebellum are also activated during those tasks. Likewise, in 1994, researchers in Leipzig found that brain scans of musicians showed larger planum temporale (a brain region related to some reading skills) than those of non-musicians. They also found that the musicians had a thicker corpus callosum (the bundle of nerve fibers that connects the two halves of the brain) than those of non-musicians, especially for those who had begun their training before the age of seven; and

Whereas, researchers have found music therapy to be beneficial in unlocking the social interactions autism prevents in autistic children and in treating people who may not be able to speak as a result of brain damage from a stroke; and

Whereas, the schools that produce the highest academic achievement in the United States today are spending 20% to 30% of the day on the arts. United States Department of Education data from 1999 show that students who report consistently high levels of involvement in instrumental music during the middle school and high school years show "significantly higher levels of mathematics proficiency by grade 12"; and

Whereas, with music in schools, students connect to each other better, resulting in greater camaraderie, fewer fights, less racism, and reduced use of hurtful sarcasm. With music instruction in schools, teachers found that students were less aggressive. Nine out of ten adults and teenagers who play instruments agree that music making brings the family closer together. College-age musicians are emotionally healthier than their non-musician counterparts for performance anxiety, emotional concerns, and alcohol-related problems; and

Whereas, the National Association for Music Education reports that schools that have music programs have significantly higher attendance rates (93.3% as compared to 84.9%) and graduation rates (90.2% as compared to 72.9%). As the percentage of students enrolled in a music class increases, so does the graduation rate of the school:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby acknowledge the commitment of school districts in Missouri to enrich the lives of students through the fine arts and commend their efforts; and

Be it further resolved that the General Assembly recognizes the importance of fine arts in our children's public education and the profound effect they have on the ability of students to interact, communicate, learn, and achieve in a global economy, where every advantage available is necessary; and

Be it further resolved that the General Assembly strongly urges and encourages the Governor of the State of Missouri and the Department of Elementary and Secondary Education to secure these advantages to our students by seeking additional funding for fine arts education from all available sources, including federal grants and aid; 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 Governor Matt Blunt, the Missouri Department of Elementary and Secondary Education, and each school district in Missouri.

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 25**.

HOUSE CONCURRENT RESOLUTION NO. 25

Whereas, the U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. The CPSC has rated furniture tip-overs as number 3 of the top 5 hidden home hazards; and

Whereas, according to the CPSC, each year an estimated 3,000 children ages 5 and younger nationwide go to the emergency room with injuries caused by television sets falling or tipping over, and at least 100 people - mostly young children - have been killed since 2000 by falling televisions or other furniture; and

Whereas, in September of 2006, the CPSC warned parents and caregivers about the dangers of television and heavy furniture tipping over and killing young children. From 2000 to 2005, CPSC had reports of 36 television tip-over deaths and 65 furniture tip-over deaths. More than 80% of all these deaths involved young children; and

Whereas, the number of deaths due to furniture tip-overs is on the rise. In 2006, the CPSC reported 31 deaths from improperly secured furniture and televisions, with tip-overs resulting in an average of 22 deaths per year; and

Whereas, very heavy furniture items can potentially cause crush injuries, but more commonly when a large dresser, shelf, or home entertainment center tips, the resulting injury is often suffocation. Children become pinned between the tipping furniture and the bed or floor, unable to breathe or call for help, making it a nearly silent event; and

Whereas, the danger of tipping comes when a child tries to climb the front of a furniture piece. In these accidents, the child attempts to reach the top of the furniture piece by using a bottom drawer or shelf like a step. The weight of the furniture and the child pulling down in the front causes the whole piece to tilt forward. Heavy items on top of the furniture can fall on the child or the furniture piece itself can fall forward onto the child; and

Whereas, the committee of the American Society for Testing and Materials (ASTM) met in March 2007 to discuss and revise a proposed standard for testing tipping on dressers, armoires, and drawer chests. However, the ASTM can only establish voluntary standards and the proposed revised standard does not include other types of furniture, such as entertainment centers, television stands, or any piece of furniture 30 inches in height or less; and

Whereas, while the ASTM, furniture executives, and consumer safety advocates are working together to form voluntary safety standards to address this issue, the increase in tipping furniture deaths and injuries to children demands mandatory regulation regarding labeling, furniture standards, and the use of anchoring devices:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress and the Consumer Product Safety Commission to immediately enact mandatory regulations that:

- (1) Strengthens and makes mandatory the ASTM International's voluntary furniture safety standard for furniture tip-over hazards;
- (2) Requires warning labels on tip-over risks to be posted on all assembled and ready-to-assemble furniture and major appliances; and
- (3) Requires all furniture and major appliances with a tip-over risk to come with anchoring devices that can be used to safely secure them to walls; 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 Nancy A. Nord, the Acting Chairman of the Consumer Product Safety Commission and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2328**, entitled:

An Act to amend chapters 135 and 144, RSMo, by adding thereto two new sections relating to tax incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

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

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

Dorothy E.A. Rowland, as a member of the Child Abuse and Neglect Review Board;

Also,

Randy L. Sanders, Republican, as a member of the Missouri Fire Education Commission;

Also,

Neal E. Boyd and Richard A. Gronniger, as members of the Missouri Workforce Investment Board;

Also,

Charlie L. Taylor, as a member of the Missouri Planning Council on Developmental Disabilities;

Also,

Charles R. Pryor, Republican, as a member of the Board of Probation and Parole;

Also,

Grace M. Nichols, Democrat, as a member of the State Highway and Transportation Commission;

Also,

Douglas L. Sutton, Republican, as a member of the Northwest Missouri State University Board of Regents;

Also,

Wallace N. Patrick, as a member of the State Advisory Council on Emergency Medical Services;

Also,

Louis B. Eckelkamp, Jr., Republican, as a member of the Missouri Development Finance Board.

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

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

President Pro Tem Gibbons assumed the Chair.

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

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **HCS** for **HB 1619**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **HB 1384** and **HB 2157**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 738**, 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 were referred **HCS for HB 2104, HB 1574, HB 1706, HCS for HB 1774, HB 2055** and **HCS for HB 2056**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HJR 55**, begs leave to report that it has considered the same and recommends that the joint resolution 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 1170**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Transportation, to which was referred **HB 1937**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 2224**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 1711**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **HB 1970**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Energy and the Environment, to which were referred **SB 1181, SB 1100, SB 1262** and **SB 1263**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

THIRD READING OF SENATE BILLS

SCS for SB 1081, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1081

An Act to repeal sections 210.900, 210.903, 210.906, 210.909, 210.915, 210.921, 210.927, 630.165, 630.167, and 633.005, RSMo, and to enact in lieu thereof fifteen new sections relating to quality assurance and safety in the division of mental retardation and developmental disabilities community programs, with penalty provisions, an emergency clause for a certain section, and an expiration date for a certain section.

Was taken up by Senator Nodler.

Senator Mayer assumed the Chair.

On motion of Senator Nodler, **SCS** for **SB 1081** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	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	Stouffer	Vogel	Wilson—32

NAYS—Senator Bartle—1

Absent—Senator Smith—1

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	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—33

NAYS—Senator Bartle—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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

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

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

SCS for SB 1139, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1139

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

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS for SB 1139** was read the 3rd time and passed by the following vote:

YEAS—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						

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

HOUSE BILLS ON THIRD READING

HCS for HB 2008, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety 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, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for HCS for HB 2008, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety 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, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS** for **HCS** for **HB 2008** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS** for **HCS** for **HB 2008** was read the 3rd time and passed by the following vote:

YEAS—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						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 2009**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for **HCS** for **HB 2009**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS** for **HCS** for **HB 2009** be adopted.

Senator Koster offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, Page 10, Section 9.235, Line 2, by inserting a new line immediately thereafter

“For the payment of the court ordered judgement in case 04-CV-324864

From General Revenue..... \$4,450,218”;

and adjust section and bill totals accordingly.

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

Senator Lager assumed the Chair.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Callahan	Coleman	Days	Engler	Graham	Green	Justus	Kennedy
Koster	McKenna	Shoemyer	Smith	Wilson—13			

NAYS—Senators

Bartle	Bray	Champion	Clemens	Crowell	Dempsey	Gibbons	Goodman
Griesheimer	Lager	Loudon	Mayer	Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Stouffer	Vogel—20				

Absent—Senator Barnitz—1

Absent with leave—Senators—None

Vacancies—None

Senator Nodler moved that **SCS** for **HCS** for **HB 2009** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS** for **HCS** for **HB 2009** was read the 3rd time and passed by the following vote:

YEAS—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						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Gibbons assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SCS** for **HCS** for **HB 2014**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Lager assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 2010**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for **HCS** for **HB 2010**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS** for **HCS** for **HB 2010** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, Page 35, Section 10.690, Line 48, by striking the number “153,752,883” and inserting in lieu thereof the number “159,590,560”; and

Further amend said bill, Page 35, Section 10.690, Line 49, by deleting the number “261,795,451” and inserting in lieu thereof the number “271,735,279”;

and adjust bill totals accordingly.

Senator Crowell moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Gibbons, Nodler, Shoemyer and Smith.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Callahan	Crowell	Engler	Graham	Justus	Koster	Lager	Shoemyer
Smith—9							

NAYS—Senators

Barnitz	Bartle	Bray	Champion	Clemens	Coleman	Dempsey	Gibbons
Goodman	Green	Griesheimer	Kennedy	Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott	Shields	Stouffer	Vogel	Wilson—24

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

Senator Nodler moved that **SCS** for **HCS** for **HB 2010** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS** for **HCS** for **HB 2010** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Coleman	Crowell
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—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for HB 2011, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for HCS for HB 2011, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS for HCS for HB 2011** be adopted.

Senator Smith offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 22, Section 11.465, Line 8, by deleting the number “\$3,915,400” and inserting in lieu thereof the number “\$10,008,028”; and

further amend said section, line 9 by deleting the number “8,274,670” and inserting in lieu thereof the number “18,648,604”; and

further amend said bill, page 23, Section 11.485, line 15 by deleting the number “\$76,438,281” and inserting in lieu thereof the number “\$76,747,905”; and

further amend said section, line 16 by deleting the number “130,304,385” and inserting in lieu thereof the number “130,831,582”; and

further amend said bill, page 24, Section 11.490, line 11 by deleting the number “\$241,749,244” and inserting in lieu thereof the number “\$244,459,273”; and

further amend said section, line 12 by deleting the number “698,498,142” and inserting in lieu thereof the number “703,112,517”; and

adjust section and bill totals accordingly.

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

SA 1 failed of adoption by the following vote:

YEAS—Senators

Bray	Callahan	Coleman	Engler	Graham	Justus	Kennedy	Koster
McKenna	Smith	Wilson—11					

NAYS—Senators

Barnitz	Bartle	Champion	Clemens	Crowell	Dempsey	Gibbons	Goodman
Green	Griesheimer	Lager	Loudon	Mayer	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Shoemyer	Stouffer	Vogel—22		

Absent—Senators—None

Absent with leave—Senator Days—1

Vacancies—None

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 15, Section 11.275, Line 8, by deleting the number “\$71,837,747” and inserting in lieu thereof “\$74,237,747”; and adjust section and bill totals accordingly.

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Koster, Smith, Bray and Wilson.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Bray	Callahan	Coleman	Graham	Justus	Kennedy	Koster	Shoemyer
Smith	Wilson—10						

NAYS—Senators

Barnitz	Bartle	Champion	Clemens	Dempsey	Engler	Gibbons	Goodman
Green	Griesheimer	Lager	Loudon	Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields	Stouffer	Vogel—22		

Absent—Senators—None

Absent with leave—Senators

Crowell Days—2

Vacancies—None

Senator Nodler moved that **SCS** for **HCS** for **HB 2011** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS** for **HCS** for **HB 2011** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Coleman	Dempsey	Engler
Gibbons	Goodman	Graham	Green	Griesheimer	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Stouffer	Vogel	Wilson—29			

NAYS—Senators

Bartle	Justus	Smith—3
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Absent—Senators—None

Absent with leave—Senators

Crowell	Days—2
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Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 2012**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for **HCS** for **HB 2012**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief

Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS** for **HCS** for **HB 2012** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS** for **HCS** for **HB 2012** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Coleman	Dempsey
Gibbons	Goodman	Graham	Green	Griesheimer	Justus	Koster	Lager
Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—30		

NAYS—Senator Kennedy—1

Absent—Senator Engler—1

Absent with leave—Senators

Crowell Days—2

Vacancies—None

The President declared the bill passed.

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

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

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

HCS for **HB 2013**, with **SCS**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up by Senator Nodler.

SCS for HCS for HB 2013, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Was taken up.

Senator Nodler moved that **SCS for HCS for HB 2013** be adopted, which motion prevailed.

On motion of Senator Nodler, **SCS for HCS for HB 2013** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Coleman	Dempsey
Gibbons	Goodman	Graham	Green	Griesheimer	Justus	Kennedy	Koster
Lager	Loudon	Mayer	McKenna	Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—31	

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators

Crowell Days—2

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 1245**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1763**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 2068**, begs leave to report that it has considered the same and recommends that the bill do pass.

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 2058**, entitled:

An Act to repeal sections 32.105, 67.1501, 67.1545, 135.967, 137.115, 137.1018, 447.708, 620.495, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof fourteen new sections relating to tax incentives for business development, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 71**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IV of the Constitution of Missouri, and adopting three new sections relating to the Missouri Veterans' Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

Senator Coleman submitted the following:

April 17, 2008

Terry Spieler - Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

RE: House Bill 1348

Dear Ms. Spieler:

On April 15, 2008, the above-referenced bill was reported from committee and placed on the Senate calendar as a consent bill. Pursuant to Senate Rule 45, please consider this correspondence to be my objection to the consideration of this bill as a consent bill and my request that

the bill be returned to the Senate committee from which it was reported.

Sincerely,

/s/ Maida

Maida J. Coleman

Minority Floor Leader

Also,

Senator Shields submitted the following:

April 17, 2008

Ms. Terry L. Spieler

Secretary of the Senate

State Capitol, Office 325

Jefferson City, MO 65109

Dear Ms. Spieler:

Pursuant to Senate Rule 45, I am requesting that Senate Committee Substitute for House Bill 1656 be removed from the Consent Calendar. Thank you for your attention to this matter, please contact my office if you have any questions.

Sincerely,

/s/ Charlie

Charlie Shields

Also,

Senator Bartle submitted the following:

April 17, 2008

Terry Spieler

Secretary of Senate

Room 325, State Capitol

Jefferson City, MO 65101

Dear Ms. Spieler,

Pursuant to Senate Rule 45, I am objecting to House Bill 2082 having consent status. I respectfully request the bill be removed from the Consent Calendar and returned to its committee of origin.

Sincerely,

/s/ Matt Bartle

Matt Bartle

RESOLUTIONS

Senator Justus offered Senate Resolution No. 2424, regarding Professor Edwin T. Hood, which was adopted.

Senator Koster offered Senate Resolution No. 2425, regarding Sue Whitman, Warrensburg, which was adopted.

Senator Koster offered Senate Resolution No. 2426, regarding Richard Peckman, Nevada, which was adopted.

Senator Rupp offered Senate Resolution No. 2427, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Thomas Rielly, O’Fallon, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Crowell introduced to the Senate, fourth grade students from Clippard Elementary School, Cape Girardeau.

Senator Stouffer introduced to the Senate, Christal Milligan and Helen Harris, Lexington.

Senator Champion introduced to the Senate, fifty students from Robberson and Sequiota Elementary Schools, Springfield.

Senator Shields introduced to the Senate, the Physician of the Day, Dr. Jim Reynolds, M.D., St. Joseph.

On behalf of Senator Stouffer, Senator Gibbons introduced to the Senate, Senator Stouffer’s wife, Sue Ellen, Napton; Brownie Brown, Melda Lingle and Steven and Annie Hartwig, Marshall; Dick and Sue Hassler, Sweet Springs; Dean and Ruth Miller, DeWitt; David and Peggy Swearingin, Carrollton; Lainy Buffington, Salisbury; Marilyn Toalson and Henry and John Semon, Columbia; Richard and Jackie Thomas, Madison; Stephanie Young and Barbara and Dan Stevens, Boonville; and Sam Richardson, Moberly.

Senator Wilson introduced to the Senate, Charles McField, Sr. and members of National Active and Retired Federal Employees.

Senator Shoemyer introduced to the Senate, parents and students from Ralls County Home School Group, Hannibal.

Senator Engler introduced to the Senate, Sophia Falk, Farmington.

Senator Kennedy introduced to the Senate, Father Jose Jacob, Belleville, Illinois; Father Peter Mascarenes, Bangalore, India; and Jo Ann Perkins, Crestwood.

Senator Crowell introduced to the Senate, Russell Grammar and fourth grade students from Jefferson Elementary School.

Senator Shoemyer introduced to the Senate, students from Holy Family School, Hannibal.

Senator Kennedy introduced to the Senate, forty students from Abiding Savior Lutheran School, St. Louis.

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, April 21, 2008.

SENATE CALENDAR

—————
FIFTY-FOURTH DAY—MONDAY, APRIL 21, 2008
—————

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 2328
HCS for HB 2058

HCS for HJR 71

THIRD READING OF SENATE BILLS

SS for SCS for SB 898-Clemens
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------|---|
| 1. SB 861-Shoemyer, with SCS | 10. SB 1283-Dempsey, et al, with SCS |
| 2. SB 1180-Crowell | 11. SB 1197-Crowell |
| 3. SB 1278-Shields | 12. SB 1275-Vogel |
| 4. SB 1057-Scott, with SCS | 13. SB 1164-Loudon |
| 5. SJR 43-Loudon | 14. SB 738-Nodler, with SCS |
| 6. SB 1183-Bray, with SCS | 15. SB 1170-Mayer, with SCS |
| 7. SB 1158-Mayer, with SCS | 16. SBs 1181, 1100, 1262 & 1263-Engler,
with SCS |
| 8. SB 1172-Goodman, with SCS | 17. SB 1245-Nodler |
| 9. SB 1101-Bray, et al | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 1661-LeVota, et al (Ridgeway) | 6. HCS for HJR 55 |
| 2. HCS for HB 1779, with SCS (Griesheimer) | 7. HB 1937-Pearce, et al, with SCS |
| 3. HCS for HB 1619, with SCS | 8. HB 2224-Jones (117), et al, with SCS |
| 4. HB 1384 & HB 2157-Cox, et al, with SCS | 9. HB 1711, Weter, et al, with SCS |
| 5. HCS for HB 2104, HB 1574, HB 1706,
HCS for HB 1774, HB 2055 & HCS for
HB 2056, with SCS | 10. HB 1970-Wasson |
| | 11. HCS for HB 1763 |
| | 12. HCS for HB 2068 |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SBs 712 & 882-Gibbons and Rupp, with SCS | SB 811-Stouffer, with SCS, SA 1 & point of
order (pending) |
| SB 713-Gibbons, with SCS | SB 815-Goodman |
| SB 716-Loudon, et al | SB 817-Goodman |
| SB 717-Kennedy and Shields | SB 821-Shoemyer, with SCS (pending) |
| SB 729-Griesheimer, with SCS | SBs 840 & 857-Engler, with SCS & SS for
SCS (pending) |
| SB 749-Ridgeway, with SCS | SB 865-Rupp and Gibbons, with SCS |
| SB 756-Engler and Rupp, with SCS (pending) | SB 874-Graham, with SCS |
| SB 776-Justus and Koster, with SCS | SB 881-Green |
| SB 809-Stouffer, with SCS, SS for SCS &
SA 1 (pending) | |

SB 904-Griesheimer, with SCS
SBs 909, 954, 934 & 1003-Engler, with SCS
SB 915-Ridgeway
SB 917-Goodman, et al
SB 929-Green and Callahan, with SCS
SB 957-Goodman
SBs 982, 834 & 819-Purgason, with SCS
SB 990-Champion
SBs 993 & 770-Crowell, with SCS, SS for
SCS, SA 4 & SSA 1 for SA 4 (pending)
SB 996-Crowell, with SCS
SB 997-Crowell
SB 1000-Justus
SB 1007-Loudon, with SA 2 (pending)
SBs 1021 & 870-Loudon, et al, with SCS,
SS for SCS & SA 1 (pending)
SB 1035-Scott, with SCS
SB 1040-Clemens, with SCS (pending)
SB 1046-Mayer, with SA 1 & SSA 1 for SA 1
(pending)

SB 1052-Rupp
SB 1054-Dempsey, with SCS
SB 1058-Mayer
SB 1067-Ridgeway, et al
SB 1077-Goodman
SB 1093-Loudon, et al
SB 1094-Loudon, with SCS
SB 1099-Graham, with SA 1 (pending)
SB 1103-Gibbons
SB 1138-McKenna, with SCS
SBs 1234 & 1270-Shields, with SCS & SS#2
for SCS (pending)
SB 1240-Dempsey
SB 1244-Barnitz and Purgason
SJR 45-Clemens

CONSENT CALENDAR

House Bills

Reported 4/10

HB 1628-Cooper (120) (Scott)
HB 1670-Cooper (120) (Dempsey)
HB 1828-Sutherland
HCS for HB 1804, with SCS (Days)
HB 2047-Curls, et al, with SCS (Callahan)
HB 1410-Flook, et al (Ridgeway)
HCS for HB 1888 (Clemens)
HB 1368-Thomson (Lager)
HCS for HB 1807, with SCS (Mayer)
HB 1869-Wilson (130), et al (Goodman)

HCS for HB 2048, with SCS (Engler)
HB 2213-Kraus, et al (Shields)
HB 1422-St. Onge, et al, with SCS (Stouffer)
HB 1354-Wilson (119), et al (Scott)
HCS for HB 1575 (Vogel)
HB 1952-Loehner, et al (Barnitz)
HB 1887-Parson (Scott)
HCS for HB 2360 (Lager)
HB 1311-Hoskins, with SCS (Engler)
HB 1426-Kraus (Green)

Reported 4/14

HB 1608-Ervin (Ridgeway)
HB 2065-Wasson, with SCS (Scott)

HB 1450-Roorda, et al, with SCS (McKenna)
HB 2233-Page, et al (Shields)

HB 1419-Portwood (Loudon)
 HB 1791-Cooper (155), et al (Barnitz)
 HB 1689-Wilson (130), with SCS (Scott)
 HCS for HB 1690, with SCS (Scott)

Reported 4/15

HCS for HB 1380 (Goodman)	HB 1710-Flook (Ridgeway)
HCS for HB 2036	HCS for HB 1783
HB 1946-Franz, with SCS (Champion)	HB 1784-Meadows, et al
HB 1849-Pratt and Curls (Justus)	HB 1313-Wright, et al (Mayer)
HB 1640-Schoeller, et al, with SCS (Goodman)	HCS for HB 1893 (Dempsey)
HB 1570-Franz, with SCS (Champion)	HB 1881-Schlottach
HB 1469-Pratt (Goodman)	

RESOLUTIONS

Reported from Committee

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

To be Referred

HCR 7-Pearce, et al	HCR 16-Bivins, et al
HCS for HCR 21	HCR 18-Fisher, et al
HCR 5-Smith, et al	HCR 26-Dixon, et al
HCR 19-Sander, et al	HCR 25-Pratt, et al
HCR 8-Scavuzzo	

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