

# Journal of the Senate

SECOND REGULAR SESSION

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**FIFTY-SECOND DAY—WEDNESDAY, APRIL 14, 2010**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Even in the darkest moments of your life, God is still in charge.” (Marie T. Freeman)

Lord, it is becoming a long week filled with many difficulties that continue to be problems for us. Help us to adjust to the new realities that face us as we govern. Help us make decisions that produce the most helpful results. Help us, we pray, that we may find ways to work together even when differences are clearly present. And Lord, walk with us as we remember our good friend, B.W. Robinson. Comfort his family and us who will truly miss him and give us a certain hope and joyful expectation of eternal life we may share with him. 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	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway
Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel
Wilson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in loving memory of B.W. Robinson, Senate Doorkeeper.

### RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 2179, regarding Carolyn Sue Roof, which was adopted.

Senator Schaefer offered Senate Resolution No. 2180, regarding Patricia Lynn Crews, which was adopted.

Senator Schaefer offered Senate Resolution No. 2181, regarding Courtyard by Marriott, Columbia, which was adopted.

Senator Nodler offered Senate Resolution No. 2182, regarding the 2009-2010 Class 1 State Champion Seneca High School Wrestling program, which was adopted.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 2001**, with **SCS**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS** for **HCS** for **HB 2001**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2001

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 2001** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HB 2001** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Clemens	Crowell	Dempsey	Engler	Goodman
Green	Griesheimer	Justus	Keaveny	Lager	Lembke	Mayer	McKenna
Nodler	Pearce	Purgason	Rupp	Schaefer	Schmitt	Scott	Shields

Shoemyer      Stouffer      Vogel—27

NAYS—Senators—None

Absent—Senators

Champion      Cunningham      Days      Ridgeway      Wilson      Wright-Jones—6

Absent with leave—Senator Bartle—1

Vacancies—None

The President declared the bill passed.

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

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

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

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

Senator Griesheimer assumed the Chair.

**HCS for HB 2002, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS for HCS for HB 2002, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS for HCS for HB 2002** be adopted.

Senator Dempsey assumed the Chair.

Senator Griesheimer assumed the Chair.

At the request of Senator Mayer, **HCS for HB 2002, with SCS** (pending), was placed on the Informal Calendar.

**REFERRALS**

President Pro Tem Shields referred **SS** for **SB 714** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Shields referred **HCS** for **HCRs 25, 29** and **39** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Engler, the Senate recessed until 3:00 p.m.

**RECESS**

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

**RESOLUTIONS**

Senator Crowell offered Senate Resolution No. 2183, regarding Pat Dooley Elementary School, Delta School District, which was adopted.

Senator Callahan offered Senate Resolution No. 2184, regarding Zach Lewis Bailey, Sugar Creek, which was adopted.

Senator Callahan offered Senate Resolution No. 2185, regarding Michael Morris, which was adopted.

Senator Callahan offered Senate Resolution No. 2186, regarding Daniel Jacob Cox, Independence, which was adopted.

**HOUSE BILLS ON THIRD READING**

Senator Mayer moved that **HCS** for **HB 2002**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SCS** for **HCS** for **HB 2002** was again taken up.

Senator Mayer offered **SS** for **SCS** for **HCS** for **HB 2002**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Senator Mayer moved that **SS** for **SCS** for **HCS** for **HB 2002** be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **HCS** for **HB 2002** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Cunningham	Days	Dempsey
Engler	Goodman	Green	Griesheimer	Keaveny	Lager	Lembke	Mayer
Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Scott

Shields            Stouffer            Vogel            Wilson—28

NAYS—Senators

Bartle            Crowell            Justus            McKenna            Shoemyer            Wright-Jones—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 943**; **SS** for **SCS** for **SB 1014**; and **SS** for **SB 1057**, 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 Engler announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

### **HOUSE BILLS ON THIRD READING**

**HB 1741** was placed on the Informal Calendar.

**HB 1677**, with **SCS**, introduced by Representative Hoskins (80), entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

Was taken up by Senator Days.

**SCS** for **HB 1677**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1677**

An Act to repeal section 9.010, RSMo, and to enact in lieu thereof two new sections relating to public holidays, with an emergency clause for a certain section.

Was taken up.

Senator Days moved that **SCS** for **HB 1677** be adopted, which motion prevailed.

Senator Days moved that **SCS** for **HB 1677** be read the 3rd time and passed and was recognized

to close.

President Pro Tem Shields referred **SCS** for **HB 1677** to the Committee on Governmental Accountability and Fiscal Oversight.

**HB 1741**, introduced by Representative Pratt, entitled:

An Act to repeal section 351.340, RSMo, and to enact in lieu thereof one new section relating to board meetings of corporations.

Was called from the Informal Calendar and taken up by Senator Goodman.

On motion of Senator Goodman, **HB 1741** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HB 1778**, with **SCS**, introduced by Representative Walton Gray, et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of organ donor awareness day.

Was taken up by Senator Wright-Jones.

**SCS** for **HB 1778**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1778

An Act to repeal section 9.010, RSMo, and to enact in lieu thereof two new sections relating to public holidays, with an emergency clause for a certain section.

Was taken up.

Senator Wright-Jones moved that **SCS** for **HB 1778** be adopted, which motion failed.

**HB 1778** was again taken up.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1778, Page 1, In the Title, Lines 2-3, by striking the words “the designation of organ donor awareness day” and inserting in lieu thereof the following:

“public holidays”; and

further amend said bill and page, Section 9.157, line 4, by inserting immediately after said line the following:

**“9.170. The governor shall annually issue a proclamation setting apart the fourteenth of February as “Epilepsy Awareness Day”, and recommending to the people of the state that the day be appropriately observed through activities which will increase awareness of epilepsy and its related symptoms.”; and**

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Wright-Jones moved that **HB 1778**, as amended, be read the 3rd time and passed, which motion failed to receive a constitutional majority by the following vote:

YEAS—Senators

Barnitz	Bray	Champion	Clemens	Days	Dempsey	Engler	Griesheimer
Lager	McKenna	Rupp	Schaefer	Schmitt	Shields	Shoemyer	Wilson

Wright-Jones—17

NAYS—Senators

Bartle	Callahan	Crowell	Cunningham	Green	Justus	Keaveny	Lembke
Mayer	Nodler	Pearce	Purgason	Ridgeway	Scott	Stouffer	Vogel—16

Absent—Senator Goodman—1

Absent with leave—Senators—None

Vacancies—None

**HCS** for **HB 2198**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 2003**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS** for **HCS** for **HB 2003**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 2003** be adopted.

Senator Mayer offered **SS** for **SCS** for **HCS** for **HB 2003**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Senator Mayer moved that **SS** for **SCS** for **HCS** for **HB 2003** be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **HCS** for **HB 2003** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Cunningham	Days	Dempsey
Engler	Goodman	Green	Griesheimer	Keaveny	Lager	Lembke	Mayer
McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt
Shields	Shoemyer	Stouffer	Vogel	Wilson—29			

NAYS—Senators

Bartle	Crowell	Justus	Scott	Wright-Jones—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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



**HCS for HB 2004, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS for HCS for HB 2004, entitled:**

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS for HCS for HB 2004** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS for HCS for HB 2004** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Bartle                      Crowell—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS for HB 2005, with SCS, entitled:**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief

Executive's Office, 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS** for **HCS** for **HB 2005**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, 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, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 2005** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HB 2005** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Crowell            Justus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**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 2357**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to public retirement plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2262** and **2264**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto two new sections relating to the Missouri youth challenge academy, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1695, 1742** and **1674**, entitled:

An Act to repeal sections 211.031, 217.785, 302.302, 302.321, 302.536, 302.750, 478.001, 478.003, 478.009, 479.010, 479.020, 479.170, 542.286, 577.010, 577.012, 577.020, 577.021, 577.023, 577.029, 577.037, 577.039, 577.041, 577.049, and 577.054, RSMo, and to enact in lieu thereof twenty-five new sections relating to driving while intoxicated, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

## **MESSAGES FROM THE GOVERNOR**

The following messages were received from the Governor:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
April 14, 2010

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

I hereby withdraw from your consideration the following appointment to office made and submitted to you for your advice and consent:

Michael B. Calvin, 2355 Albion Place Unit D, Saint Louis City, Missouri 63104, as a member of the Saint Louis City Board of Police Commissioners, for a term ending January 31, 2014, and until his successor is duly appointed and qualified; vice, Julius Hunter, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Shields moved that the above appointment be returned to the Governor per his request, which motion prevailed.

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102

April 14, 2010

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

I hereby withdraw from your consideration the following appointment to office made and submitted to you for your advice and consent:

Douglas R. Lang, 6824 Bonnie Avenue, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Board of Pharmacy, for a term ending February 16, 2015, and until his successor is duly appointed and qualified; vice, Gary Sobocinski, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Shields moved that the above appointment be returned to the Governor per his request, which motion prevailed.

**REFERRALS**

President Pro Tem Shields referred **SS** for **SB 1057** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Engler, the Senate recessed until 7:45 p.m.

**RECESS**

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

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 2006**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS** for **HCS** for **HB 2006**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources 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, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 2006** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HB 2006** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Cunningham	Days	Dempsey
Engler	Goodman	Green	Keaveny	Lager	Mayer	McKenna	Nodler
Pearce	Purgason	Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer
Stouffer	Vogel	Wilson—27					

NAYS—Senators

Crowell Justus—2

Absent—Senators

Clemens Griesheimer Lembke Ridgeway Wright-Jones—5

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**HCS** for **HB 2007**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**SCS** for **HCS** for **HB 2007**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, 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, 2010 and ending June 30, 2011.

Was taken up.

Senator Mayer moved that **SCS** for **HCS** for **HB 2007** be adopted, which motion prevailed.

On motion of Senator Mayer, **SCS** for **HCS** for **HB 2007** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Cunningham	Days	Dempsey
Engler	Goodman	Green	Keaveny	Lager	Mayer	McKenna	Nodler
Pearce	Purgason	Rupp	Schaefer	Schmitt	Scott	Shields	Shoemyer
Stouffer	Vogel	Wilson—27					

NAYS—Senators

Bartle	Crowell	Justus	Wright-Jones—4				
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Absent—Senators

Griesheimer	Lembke	Ridgeway—3					
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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, 2010 and ending June 30, 2011.

Was taken up.

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

On motion of Senator Mayer, **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	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—31	

NAYS—Senator Crowell—1

Absent—Senators

Lembke      Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Engler 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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, 2010 and ending June 30, 2011.

Was taken up.

Senator Rupp assumed the Chair.

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

On motion of Senator Mayer, **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	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Rupp	Schaefer
Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson—31	

## NAYS—Senators

Crowell      Wright-Jones—2

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

**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, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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, and to transfer money among certain funds for the period beginning July 1, 2010 and ending June 30, 2011.

Was taken up.

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

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



YEAS—Senators

Barnitz	Callahan	Champion	Clemens	Cunningham	Days	Dempsey	Engler
Goodman	Green	Griesheimer	Lembke	Mayer	Nodler	Purgason	Rupp
Schaefer	Schmitt	Shields	Vogel	Wilson—21			

NAYS—Senators

Bartle	Bray	Crowell	Justus	Keaveny	Lager	McKenna	Pearce
Ridgeway	Scott	Shoemyer	Stouffer	Wright-Jones—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Engler 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 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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 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, 2010 and ending June 30, 2011.

Was taken up.

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

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

YEAS—Senators

Barnitz	Bray	Callahan	Champion	Clemens	Cunningham	Days	Dempsey
Engler	Goodman	Green	Griesheimer	Keaveny	Lembke	Mayer	McKenna

Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt	Scott
Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—30		

NAYS—Senators

Bartle	Crowell	Justus	Lager—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Engler 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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, 2010 and ending June 30, 2011.

Was taken up.

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

On motion of Senator Mayer, **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	Days	Dempsey
Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager	Mayer
McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp	Schaefer	Schmitt
Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson	Wright-Jones—31	

NAYS—Senators

Crowell      Cunningham      Lembke—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator Engler 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, 2010 and ending June 30, 2011.

Was taken up by Senator Mayer.

**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, 2010 and ending June 30, 2011.

Was taken up.

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

On motion of Senator Mayer, **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	Cunningham	Days
Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny	Lager
Lembke	Mayer	McKenna	Nodler	Pearce	Purgason	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

### INTRODUCTIONS OF GUESTS

Senator Nodler introduced to the Senate, Paxton Williams, Joplin.

Senator Days introduced to the Senate, Alderperson Millicent Johnson, Cool Valley.

Senator Cunningham introduced to the Senate, Linda Moen, St. Louis.

Senator Justus introduced to the Senate, Susan Gibson, Laurie Delong, Katie Walker, Rob Ryan, David Brown, Jeff Pfaff, Matt Hilderbrand and members of St. Elizabeth Boy Scout Troop 150, Sean Decker, Michael Derickson, Jack Emory, Evan Hilderbrand, Brendan Odrowski, John Sulzer, Dylan Brown, Thomas Delong, Jon Gibson, Alexei Kreidler, Daniel Pfaff, George Ryan and Payton Walker, Kansas City.

Senator Nodler introduced to the Senate, Coach Jeff Sill, Assistant Coach Chris Fortner and members of the Class 1 State Champion Seneca High School wrestling team, Blake Mullin, Timothy Harnar, Colbey Skaggs, Nathan Fortner, Dillan Webb, David Diaz, Jake Rhoades, Dalton Cummings, Jacoby Hymer, Trent VanWagner and Derrick Hopper.

On behalf of Senator Griesheimer, the President introduced to the Senate, Gene Harfst, Jim Casey, Mike

Casey and Lloyd Harfst, Labadie.

Senator Green introduced to the Senate, Principal Tom Henke, Rose Sigears, parents and thirty-four eighth grade students from St. Rose Philippine Duchesne, Florissant; and Katie Coleman, Katie Dorsey, Scott Mogelnicki and Mike Smith were made honorary pages.

Senator Bray introduced to the Senate, Henry Brown, Jeremy Abraham and students from The College School, Webster Groves.

Senator Bray introduced to the Senate, Bill Mermis, Renee Hill, Robin Kinman, Becki Pittman and fourth grade students from Forsyth School, Clayton.

Senator Shields introduced to the Senate, his son, Bryce and students from Central High School, St. Joseph.

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

## SENATE CALENDAR

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FIFTY-THIRD DAY—THURSDAY, APRIL 15, 2010

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## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HJR 88-Nieves, et al  
HCS#2 for HB 1543  
HCS for HB 1787  
HCS for HB 2048

HCS for HB 2357  
HCS for HBs 2262 & 2264  
HCS for HBs 1695, 1742 & 1674

### THIRD READING OF SENATE BILLS

- |  |  |
|--|--|
| 1. SB 627-Justus (In Fiscal Oversight)                     | 9. SS for SCS for SB 734-Pearce<br>(In Fiscal Oversight) |
| 2. SJR 20-Bartle (In Fiscal Oversight)                     | 10. SCS for SB 815-Bartle                                |
| 3. SB 779-Bartle (In Fiscal Oversight)                     | 11. SB 940-Pearce  |
| 4. SCS for SB 944-Shields (In Fiscal Oversight)            | 12. SCS for SB 631-Cunningham                            |
| 5. SB 816-Lembke (In Fiscal Oversight)                     | 13. SS for SB 714-Crowell (In Fiscal Oversight)          |
| 6. SB 1026-Rupp (In Fiscal Oversight)                      | 14. SS for SB 943-Shields                                |
| 7. SS for SCS for SB 884-Schaefer<br>(In Fiscal Oversight) | 15. SS for SCS for SB 1014-Bartle                        |
| 8. SCS for SB 622-Shoemyer<br>(In Fiscal Oversight)        | 16. SS for SB 1057-Shields<br>(In Fiscal Oversight)      |

## SENATE BILLS FOR PERFECTION

SJR 44-Shields

## HOUSE BILLS ON THIRD READING

HCS for HJR 86, with SCS (Stouffer)  
(In Fiscal Oversight)

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 826-Griesheimer

SB 1001-Griesheimer

## SENATE BILLS FOR PERFECTION

SB 579-Shields, with SCS  
 SB 587-Nodler and Cunningham, with SCS &  
 SA 1 (pending)  
 SB 596-Callahan, with SCS (pending)  
 SB 606-Stouffer  
 SBs 607, 602, 615 & 725-Stouffer, with  
 SCS & SA 1 (pending)  
 SB 698-Griesheimer, with SCS, SS for SCS  
 & SA 1 (pending)  
 SB 705-Griesheimer  
 SB 738-Crowell, with SCS  
 SB 747-Rupp, et al, with SA 1 (pending)  
 SB 784-Schaefer and Pearce  
 SB 792-Dempsey and Rupp, with SS  
 (pending)  
 SB 793-Mayer, et al, with SCS, SA 1 &  
 SA 1 to SA 1 (pending)  
 SB 797-Green  
 SB 810-Lager, with SCS  
 SB 818-Lembke, with SCS (pending)  
 SB 839-Wright-Jones, with SCS  
 SB 852-Lager, et al, with SS, SA 1 &  
 SSA 1 for SA 1 (pending)  
 SB 868-Shields  
 SB 878-Lembke, with SCS (pending)

SBs 880, 780 & 836-Schaefer, with SCS  
 SBs 895, 813, 911, 924, 922 &  
 802-Dempsey, et al, with SCS, SS for  
 SCS, SA 1, SSA 1 for SA 1 & SA 1 to  
 SSA 1 for SA 1 (pending)  
 SB 896-Shields and Crowell, with SA 1  
 (pending)  
 SB 905-Bray, et al, with SCS & SS for  
 SCS (pending)  
 SB 999-Schaefer  
 SB 1007-Dempsey  
 SB 1016-Mayer, with SCS  
 SB 1017-Mayer, with SCS (pending)  
 SJR 22-Callahan  
 SJR 25-Cunningham, et al, with SCS, SS#2  
 for SCS & SA 5 (pending)  
 SJR 29-Purgason and Cunningham, with SCS  
 & SS#2 for SCS (pending)  
 SJR 31-Scott  
 SJR 33-Bartle, with SA 1 (pending)  
 SJR 34-Goodman, et al, with SA 1  
 (pending)  
 SJR 38-Ridgeway  
 SJR 40-Goodman, with SA 1 (pending)

HOUSE BILLS ON THIRD READING

SS for SCS for HB 1442-Jones (89), et al  
(Nodler) (In Fiscal Oversight)  
HCS#2 for HB 1472 (Schaefer)

SCS for HB 1677-Hoskins (80) (Days)  
(In Fiscal Oversight)  
HCS for HB 2198, with SCS (Griesheimer)

RESOLUTIONS

Reported from Committee

SCR 42-Bray, with SCA 1  
HCS for HCR 18, with SA 1 (pending) (Rupp)  
SCR 46-Stouffer

HCR 38-Icet, et al, with SCA 1 (Lembke)  
SCR 52-Lager  
HCS for HCRs 34 & 35 (Schmitt)

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