

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SEVENTH DAY—THURSDAY, MARCH 8, 2007

The Senate met pursuant to adjournment.

Shoemyer Smith Stouffer Vogel
Wilson—33

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent—Senators—None

Gracious God, we thank You for Your great love of us and allowing us to have a taste of heaven here on earth within godly, loving families. So we pray that You'll be with us this day as we complete those things that must be done so that we may be free to travel home ready for a weekend with those who love us. In Your Holy Name we pray. Amen.

Absent with leave—Senator McKenna—1

Vacancies—None

The Lieutenant Governor was present.

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	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 554, regarding the death of Reverend W.A. "Bill" Harris, which was adopted.

Senator Stouffer offered Senate Resolution No. 555, regarding Aaron Senzee, which was adopted.

Senator Stouffer offered Senate Resolution No. 556, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Bennie Slaughter, La Plata, which was adopted.

Senator Shields offered Senate Resolution No. 557, regarding Goldberg, Sullivan and McCrerey, Saint Joseph, which was adopted.

Senator Barnitz offered Senate Resolution No. 558, regarding George Berry, Laquey, which was adopted.

Senator Griesheimer offered Senate Resolution No. 559, regarding Joseph Alexander Ferguson, which was adopted.

Senator Scott offered Senate Resolution No. 560, regarding the Empire District Electric Company, Bolivar, which was adopted.

Senator Scott offered Senate Resolution No. 561, regarding the Southwest Electric Cooperatives, Bolivar, which was adopted.

Senator Goodman offered Senate Resolution No. 562, regarding Steve S. Shepherd, Branson, which was adopted.

Senator Graham offered Senate Resolution No. 563, regarding Melvin C. Platt, Columbia, which was adopted.

Senator Bray offered Senate Resolution No. 564, regarding Kayla Vaughan, Kirkwood, which was adopted.

Senators Shoemyer and Graham offered Senate Resolution No. 565, regarding the Eightieth Birthday of Bea Goodin, Louisiana, which was adopted.

Senator Kennedy offered Senate Resolution No. 566, regarding Dean Odegard, St. Louis, which was adopted.

Senator Kennedy offered Senate Resolution No. 567, regarding Dr. Ronald C. Helms, Chesterfield, which was adopted.

Senator Lager offered Senate Resolution No. 568, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenneth Chitwood, Clearmont, which was adopted.

CONCURRENT RESOLUTIONS

Senator Bray offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, every person in Missouri and in the United States deserves access to affordable, quality health care; and

WHEREAS, there is a growing crisis in health care in the United States of America, manifested in rising health care costs, increased premiums, out-of-pocket spending, decreased

international business competitiveness, and massive layoffs; and

WHEREAS, approximately 635,000 to 707,000 Missourians lacked health insurance in 2005; and

WHEREAS, those insured now often experience unacceptable medical debt and sometimes life-threatening delays in obtaining health care; and

WHEREAS, one-half of all personal bankruptcies are due to illnesses or medical bills; and

WHEREAS, the termination of Medicaid in 2008 and the rising cost of insuring state employees and teachers can best be met not by limiting benefits, but by expanding them under a national, publicly-funded health insurance program; and

WHEREAS, the complex bureaucracy arising from our system of fragmented, for-profit, multi-payer system of health care financing consumes approximately 30% of United States health care spending; and

WHEREAS, independent research by Kenneth E. Thorpe, PhD. found in 2003 that if Missouri adopted a single-payer, universal health program with benefits more generous than 75% of all private insurance benefits in the state, Missouri health care spending would decline by a savings of \$1.3 billion in administrative costs alone under a streamlined administrative structure; and

WHEREAS, United States Representative John Conyers has introduced H.R. 676, the United States National Health Insurance Act, in the United States House of Representatives, and this act would provide a universal, comprehensive, single-payer system of high quality national health insurance:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby respectfully urge the United States Congress to enact the United States National Health Insurance Act sponsored by Representative Conyers; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for President George W. Bush and each member of the Missouri Congressional delegation.

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:

Ronnie D. Dittimore, Ed.D., as a member of the Mental Health Commission;

Also,

Peter D. Kinder, as a member of the Missouri Community Service Commission;

Also,

Robert W. Cary, Democrat, as a member of the State Milk Board;

Also,

Gerald F. Engemann, Republican, as a member of the Dam and Reservoir Safety Council;

Also,

Kevin C. Sprouse, as a member of the Life Sciences Research Board;

Also,

James Buford, Republican, as a member of the Missouri State University Board of Governors;

Also,

Fred R. Schoen, as a member of the Well Installation 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 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 482**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 150**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 591**, 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 Financial and Governmental Organizations and Elections, to which was referred **SB 138**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 369**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 509**, begs leave to report

that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 510**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 525**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 526**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 550**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 593**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 594**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Vogel, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 400**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 478**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 86**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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 **SB 559**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to

which was referred **SB 497**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be place on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 671**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 365**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 502**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 469**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 213**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 20**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Seniors, Families and Public Health, to which was referred **SB 85**, 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 Seniors, Families and Public Health, to which was referred **SB 333**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 429**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 5**, 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 the

Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 368**, 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 the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 516**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 426**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 488**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 417**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Conservation, Parks and Natural Resources, to which was referred **SB 534**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Education, to which was referred **SB 254**, 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 Education, to which was referred **SJR 8**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 133**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 140**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 137**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Transportation, to which were referred **SB 45** and **SB 39**, 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 Transportation, to which was referred **SB 185**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 385**, 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 Governmental Accountability and Fiscal Oversight, to which were referred **SB 164**; **SCS** for **SB 16**; and **SCS** for **SB 456**, begs leave to report that it has considered the same and recommends that the bills do pass.

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

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **SB 66**, 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 Small Business, Insurance and Industrial Relations, to which was referred **SB 304**, begs leave to report

that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

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

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **SB 419**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Commerce, Energy and the Environment, to which was referred **SB 313**, 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 Commerce, Energy and Environment, to which was referred **SB 453**, 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 Commerce, Energy and the Environment, to which was referred **SB 391**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 18**, begs leave to report that it has considered the same and recommends that the

concurrent resolution do pass.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 169**, with **SCS, SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Purgason, the above amendment was withdrawn.

President Kinder assumed the Chair.

Senator Kennedy offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 169, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than seventy-five percent of its employees at the facility in the distressed community, and which has fewer than one hundred employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, including Internet, web hosting, and other information technology, wireless or wired or other telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such

credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall assign appropriate North American Industry Classification System numbers to the companies which are eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty

percent of the amount of funds expended for computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of seventy-five thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community.

4. A corporation, partnership or sole partnership, which has no more than one hundred employees for whom payroll taxes are paid, which is already located in a distressed community and which expends funds for such equipment pursuant to subsection 3 of this section in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to the lesser of seventy-five thousand dollars or twenty-five percent of the funds expended for such additional equipment per such entity. Tax credits allowed pursuant to this subsection or subsection 1 of this section may be carried back to any of the three prior tax years and carried forward to any of the five tax years.

5. An existing corporation, partnership or sole proprietorship that is located within a distressed community and that relocates employees from another facility outside of the distressed community to its facility within the distressed community, and an existing business located within a distressed community that hires new employees for that facility may both be eligible for the tax credits allowed by subsections 1 and 3 of this section. To be eligible for such tax credits, such a business, during one of its tax years, shall employ within a distressed community at least twice as many employees as were employed at the beginning of that tax year. A business hiring employees shall have no more than one hundred employees before the addition of the new

employees. This subsection shall only apply to a business which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming or telecommunications business, or a professional firm.

6. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee.

7. The tax credits allowed pursuant to subsections 1, 2, 3, 4 and 5 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. **To the extent there are available tax credits remaining under the ten million dollar cap provided in this section, up to one hundred thousand dollars in the remaining credits shall first be used for tax credits authorized under section 135.562.** The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 4 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 6 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

8. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1, 3, 4 or 5 of

this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

9. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period.

135.562. 1. If any taxpayer with a federal adjusted gross income of thirty thousand dollars or less incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of one hundred percent of such costs or two thousand five hundred dollars per taxpayer, per tax year.

2. Any taxpayer with a federal adjusted gross income greater than thirty thousand dollars but less than sixty thousand dollars who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of fifty percent of such costs or two thousand five hundred dollars per taxpayer, per tax year. No taxpayer shall be eligible to receive tax credits under this section in any tax year immediately following a tax year in which such taxpayer received tax credits under the provisions of this section.

3. Tax credits issued pursuant to this

section may be refundable in an amount not to exceed two thousand five hundred dollars per tax year.

4. Eligible costs for which the credit may be claimed include:

- (1) Constructing entrance or exit ramps;**
- (2) Widening exterior or interior doorways;**
- (3) Widening hallways;**
- (4) Installing handrails or grab bars;**
- (5) Moving electrical outlets and switches;**
- (6) Installing stairway lifts;**
- (7) Installing or modifying fire alarms, smoke detectors, and other alerting systems;**
- (8) Modifying hardware of doors; or**
- (9) Modifying bathrooms.**

5. The tax credits allowed, including the maximum amount that may be claimed, pursuant to this section shall be reduced by an amount sufficient to offset any amount of such costs a taxpayer has already deducted from such taxpayer's federal adjusted gross income or to the extent such taxpayer has applied any other state or federal income tax credit to such costs.

6. A taxpayer shall claim a credit allowed by this section in the same taxable year as the credit is issued, and at the time such taxpayer files his or her Missouri income tax return; provided that, such return is timely filed.

7. The department may, in consultation with the department of social services, promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section

536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The provisions of this section shall apply to all tax years beginning on or after January 1, 2008.

9. The provisions of this section shall expire December 31, 2013.

10. In no event shall the aggregate amount of all tax credits allowed pursuant to this section exceed one hundred thousand dollars in any given fiscal year. The tax credits issued pursuant to this section shall be on a first-come, first-served filing basis.”; and

Further amend the title and enacting clause accordingly.

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

Senator Ridgeway assumed the Chair.

Senator Crowell offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 169, Page 1, In the Title, Lines 2-3, by striking all of said lines and inserting in lieu thereof the following: “To repeal section 135.750, RSMo, and to enact in lieu thereof two new sections relating to certain tax credit programs.”; and

Further amend page 8, section 135.662, line 19 by inserting after all of said line the following:

“135.750. 1. As used in this section, the following terms mean:

(1) “Highly compensated individual”, any

individual who receives compensation in excess of one million dollars in connection with a single qualified film production project;

(2) “Qualified film production project”, any film, video, commercial, or television production, as approved by the department of economic development and the office of the Missouri film commission, that is under thirty minutes in length with an expected in-state expenditure budget in excess of fifty thousand dollars, or that is over thirty minutes in length with an expected in-state expenditure budget in excess of one hundred thousand dollars. Regardless of the production costs, “qualified film production project” shall not include any:

(a) News or current events programming;

(b) Talk show;

(c) Production produced primarily for industrial, corporate, or institutional purposes, and for internal use;

(d) Sports event or sports program;

(e) Gala presentation or awards show;

(f) Infomercial or any production that directly solicits funds;

(g) Political ad;

(h) Production that is considered obscene, as defined in section 573.010, RSMo;

(3) “Qualifying expenses”, the sum of the total amount spent in this state for the following by a production company in connection with a qualified film production project:

(a) Goods and services leased or purchased by the production company. For goods with a purchase price of twenty-five thousand dollars or more, the amount included in qualifying expenses shall be the purchase price less the fair market value of the goods at the time the production is completed;

(b) Compensation and wages paid by the production company on which the production

company remitted withholding payments to the department of revenue under chapter 143, RSMo. For purposes of this section, compensation and wages shall not include any amounts paid to a highly compensated individual;

(4) “Tax credit”, a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 148, RSMo;

(5) “Taxpayer”, any individual, partnership, or corporation as described in section 143.441, 143.471, RSMo, or section 148.370, RSMo, that is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 148, RSMo.

2. For all taxable years beginning on or after January 1, 1999, but ending on or before December 31, 2007, a taxpayer shall be granted a tax credit [against the tax otherwise due pursuant to chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.261, RSMo, or chapter 148, RSMo,] for up to fifty percent of the amount of investment in production or production-related activities in [a qualified film production project. As used in this section, the term “taxpayer” means an individual, a partnership, or a corporation as described in section 143.441, 143.471, RSMo, or section 148.370, RSMo, and the term “qualified film production project” means] any film production project with an expected in-state expenditure budget in excess of three hundred thousand dollars. For all taxable years beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for up to fifty percent of the amount of qualifying expenses in a qualified film production project. Each film production company shall be limited to one qualified film production project per year. Activities qualifying

a taxpayer for the tax credit pursuant to this subsection shall be approved by the office of the Missouri film commission and the department of economic development.

[2.] **3.** Taxpayers shall apply for the film production tax credit by submitting an application to the department of economic development, on a form provided by the department. As part of the application, the expected in-state expenditures of the qualified film production project shall be documented. In addition, the application shall include an economic impact statement, showing the economic impact from the activities of the film production project. Such economic impact statement shall indicate the impact on the region of the state in which the film production or production-related activities are located and on the state as a whole.

[3.] **4. For all taxable years ending on or before December 31, 2007, tax credits certified pursuant to subsection 1 of this section shall not exceed one million dollars per taxpayer per year, and shall not exceed a total for all tax credits certified of one million five hundred thousand dollars per year. For all taxable years beginning on or after January 1, 2008, tax credits certified under subsection 1 of this section shall not exceed a total for all tax credits certified of ten million five hundred thousand dollars per year.** Taxpayers may carry forward unused credits for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.

[4.] **5.** Notwithstanding any provision of law to the contrary, any taxpayer may sell, assign, exchange, convey or otherwise transfer tax credits allowed in subsection 1 of this section. The taxpayer acquiring the tax credits may use the acquired credits to offset the tax liabilities otherwise imposed by chapter 143, RSMo, excluding withholding tax imposed by sections

143.191 to [143.261] **143.265**, RSMo, or chapter 148, RSMo. Unused acquired credits may be carried forward for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.

6. Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Rupp, **SB 169**, with **SCS**, **SS** for **SCS** and **SA 3** (pending) was placed on the Informal Calendar.

Senator Shields moved that **SB 430**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 430**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 430

An Act to repeal sections 160.534, 313.805, and 313.812, RSMo, and to enact in lieu thereof

five new sections relating to the smart start scholarship program, with penalty provisions and an effective date.

Was taken up.

Senator Shields moved that **SCS** for **SB 430** be adopted.

Senator Shields offered **SS** for **SCS** for **SB 430**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 430

An Act to repeal sections 160.534, 313.805, and 313.812, RSMo, and to enact in lieu thereof five new sections relating to the smart start scholarship program, with penalty provisions.

Senator Shields moved that **SS** for **SCS** for **SB 430** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 430, Page 9, Section 313.805, Line 8 of said page, by inserting after all of said line the following:

“313.806. Other provisions of law to the contrary notwithstanding, the Missouri gaming commission or any member thereof shall have no authority to, and be strictly prohibited from, operating or being an employee of an excursion gambling boat located within this state.”; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

Senator Bartle offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate

Substitute for Senate Committee Substitute for Senate Bill No. 430, Page 1, Section 313.806, Line 6, by inserting immediately after the word “from,” the following: **“having an ownership interest in, or”**.

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

SA 1, as amended, was again taken up.

Senator Green moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Purgason offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 430, Pages 4-9, Section 313.805, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

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

SA 2 failed of adoption by the following vote:

YEAS—Senators

Bartle	Crowell	Gibbons	Green
Griesheimer	Gross	Kennedy	Lager
Loudon	Mayer	Purgason	Ridgeway
Scott	Stouffer—14		

NAYS—Senators

Barnitz	Bray	Callahan	Clemens
Coleman	Days	Engler	Goodman
Graham	Justus	Koster	Nodler
Rupp	Shields	Shoemyer	Smith
Vogel	Wilson—18		

Absent—Senator Champion—1

Absent with leave—Senator McKenna—1

Vacancies—None

Senator Smith offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 430, Page 2, Section 160.534, Line 12, by inserting immediately after all of said line the following:

"168.700. 1. This act shall be known, and may be cited, as the "Missouri Teaching Fellows Program".

2. As used in this section, the following terms shall mean:

(1) "Department", the Missouri department of elementary and secondary education;

(2) "Eligible applicant": a high school senior who:

(a) Is a United States citizen;

(b) Has a cumulative grade point average ranking in the top ten percentile in their graduating class and scores in the top twenty percentile on either the ACT or SAT assessment; or has a cumulative grade point average ranking in the top twenty percentile in their graduating class and scores in the top ten percentile of the ACT or SAT assessment;

(c) Upon graduation from high school, attends a Missouri higher education institution and attains a teaching certificate and either a bachelors or graduate degree with a cumulative grade point average of at least 3.0 on a 4 point scale or equivalent;

(d) Signs an agreement with the department in which the applicant agrees to engage in qualified employment upon graduation from a higher education institution

for five years; and

(e) Upon graduation from the higher education institution, engages in qualified employment;

(3) "Qualified employment", employment as a teacher, as such term is defined in section 168.104, in a school located in a school district that is not classified as accredited by the department at the time the eligible applicant signs their first contract to teach in such district. Preference shall be given to a school in such a school district with a higher than the state average of students eligible to receive a reduced lunch price under the National School Act, 42 U.S.C. Section 1751 et seq., as amended.

3. Within the limits of amounts appropriated therefor, the department shall, upon proper verification to the department by an eligible applicant and the school district in which the applicant is engaged in qualified employment, enter into a one-year contract with eligible applicants to repay the interest and principal on the educational loans of the applicants or provide a stipend to the applicant as provided in subsection 4 of this section. The department may enter into subsequent one-year contracts with eligible applicants, not to total more than five such contracts. The fifth one-year contract shall provide for a stipend to such applicants as provided in subsection 4 of this section. If the school district becomes accredited at any time during which the eligible applicant is teaching at a school under a contract entered into pursuant to this section, nothing in this section shall preclude the department and the eligible applicant from entering into subsequent contracts to teach within the school district. An eligible applicant who does not enter into a contract with the department under the provisions of this subsection shall not be eligible for repayment of educational loans or a stipend under the provisions of subsection 4 of this section.

4. At the conclusion of each of the first four academic years that an eligible applicant engages in qualified employment, one-fourth of the eligible applicant's educational loans, not to exceed five thousand dollars per year, shall be repaid under terms provided in the contract. For applicants without any educational loans, the applicant may receive a stipend of up to five thousand dollars at the conclusion of each of the first four academic years that the eligible applicant engages in qualified employment. At the conclusion of the fifth academic year that an eligible applicant engages in qualified employment, a stipend in an amount equal to one thousand dollars shall be granted to the eligible applicant. The maximum of five thousand dollars per year and the stipend of one thousand dollars shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. The amount of any repayment of educational loans or the issuance of a stipend under this subsection shall not exceed the actual cost of tuition, required fees, and room and board for the eligible applicant at the institution of higher education from which the eligible applicant graduated.

5. The department shall create and maintain a "Teach for Missouri" coordinator position, the main responsibility of which shall be the identification, recruitment, and selection of potential students meeting the requirements of paragraph (b) of subdivision (2) of subsection 2 of this section. In selecting potential students, the coordinator shall give preference to applicants that represent a variety of racial backgrounds in order to ensure a diverse group of eligible applicants.

6. The department shall promulgate rules to enforce the provisions of this section,

including, but not be limited to: applicant eligibility, selection criteria, and the content of loan repayment contracts. If the number of applicants exceeds the number of scholarships or revenues available, priority shall be to those applicants with the highest high school grade point average and highest scores on the ACT or SAT assessments.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. There is hereby created in the state treasury the "Missouri Teaching Fellows Program Fund". The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Private donations, federal grants, and other funds provided for the implementation of this section shall be placed in the Missouri teaching fellows program fund. Upon appropriation, money in the fund shall be used solely for the repayment of loans and the payment of stipends under the provisions of this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

168.702. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) Any new program authorized under section 168.700 shall automatically sunset six years after the effective date of this act unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under section 168.700 shall automatically sunset twelve years after the effective date of the reauthorization of this act; and

(3) Section 168.700 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under section 168.700 is sunset."; and

Further amend said bill, page 17, section 313.823, line 22, by striking the word "All"; and

Further amend lines 23-25, by striking all of said lines and inserting in lieu thereof the following: "The proceeds obtained from the education allowance shall be distributed in the following manner: one million dollars in every fiscal year shall be transferred to the Missouri Teaching Fellows Program Fund created in section 168.700, RSMo, and such transfer shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency; and the remainder shall be transferred to the credit of the smart start scholarship fund in section 173.950."; and

Further amend the title and enacting clause accordingly.

Senator Loudon raised the point of order that SA 3 is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Crowell assumed the Chair.

SA 3 was again taken up.

Senator Bartle offered **SA 1** to **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 430, Page 5, Section 313.823, Line 28, by striking the word “one” and inserting in lieu thereof the following: “**ten**”.

Senator Bartle moved that the above amendment be adopted.

At the request of Senator Shields, **SB 430**, with **SCS**, **SS** for **SCS**, **SA 3** and **SA 1** to **SA 3** (pending), was placed on the Informal Calendar.

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 620**, entitled:

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof two new sections relating solely to teacher certification.

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 40**, **116** and **367**, entitled:

An Act to repeal sections 135.096, 660.546,

660.547, 660.549, 660.551, 660.553, 660.555, and 660.557, RSMo, and to enact in lieu thereof seven new sections relating to long-term care insurance.

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 636**, **308** and **173**, entitled:

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

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 488**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for the use of idle reduction technology.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 46**, entitled:

An Act to repeal section 578.018, RSMo, and to enact in lieu thereof one new section relating to impoundment of animals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 346**, entitled:

An Act to repeal section 348.434, RSMo, and to enact in lieu thereof three new sections relating to the Missouri agriculture and small business development authority.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 220**, entitled:

An Act to repeal section 456.5-501, RSMo, and to enact in lieu thereof one new section relating to the Missouri uniform trust code.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 166**, entitled:

An Act to repeal section 115.453, RSMo, and to enact in lieu thereof one new section relating to write-in candidates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 255**, entitled:

An Act to repeal sections 8.294, 37.005, 37.452, and 253.510, RSMo, and to enact in lieu

thereof five new sections relating to the office of administration, 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 **HB 221**, entitled:

An Act to repeal sections 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227, RSMo, and to enact in lieu thereof twenty-two new sections relating to service contracts, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 205**, entitled:

An Act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to the tourism supplemental revenue fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 272**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state reptile.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 319**, entitled:

An Act to repeal sections 87.120, 87.140, 87.160, 87.182, 87.205, 87.325, 87.330, 87.335, 87.340, and 87.345, RSMo, and to enact in lieu thereof ten new sections relating to firefighter retirement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 344**, entitled:

An Act to repeal section 537.353, RSMo, and to enact in lieu thereof one new section relating to field crop damage.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 351**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state invertebrate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of

Representatives to inform the Senate that the House has taken up and passed **HB 576**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to designation of the official state game bird.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 264**, entitled:

An Act to repeal section 166.021, RSMo, and to enact in lieu thereof one new section relating to the state public school fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 459**, entitled:

An Act to repeal sections 71.011 and 71.012, RSMo, and to enact in lieu thereof two new sections relating to municipal land transfers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 135**, entitled:

An Act to repeal sections 41.655 and 168.021, RSMo, and to enact in lieu thereof two new sections relating to the members of the military and their families.

In which the concurrence of the Senate is

respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 405**, entitled:

An Act to repeal sections 43.010, 43.030, 43.090, 43.110, 43.120, and 43.140, RSMo, and to enact in lieu thereof six new sections relating to the highway patrol, 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 **HB 608**, entitled:

An Act to repeal sections 137.100 and 137.101, RSMo, and to enact in lieu thereof two new sections relating to property exempt from taxation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 732**, entitled:

An Act to repeal section 227.299, RSMo, and to enact in lieu thereof one new section relating to memorial highway designations.

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, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

March 7, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Katherine Suzanne Bradley, Republican, 4006 Miller Road, Saint Joseph, Buchanan County, Missouri 64505, as a member of the Missouri Gaming Commission for a term ending April 29, 2007, and until her successor is duly appointed and qualified; vice, Ralph Biele, resigned.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

March 7, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Edward L. Baker, Republican, 1804 Kathy Lane, Columbia, Boone County, Missouri 65203, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Palmer Nichols, term expired.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

March 7, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Joshua D. Linville, Republican, 602 Harrington Street, Dearborn, Platte County, Missouri 64439, as a member of the Platte County Board of Election Commissioners for a term ending January

11, 2011, and until his successor is duly appointed and qualified; vice, George Rose, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 8, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

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

Michael Meierhoffer, Republican, 3000 Frederick Avenue, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Health Facilities Review Committee for a term ending January 1, 2009, and until his successor is duly appointed and qualified; vice, Milamari Cunningham, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 8, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

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

Raynel G. Schallert, Republican, 446 Farm Road 1090, Monett, Barry County, Missouri 65708, as a member of the Missouri Community Service Commission for a term ending December 12, 2008, and until her successor is duly appointed and qualified; vice, Joan L. Berkman, resigned.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
March 8, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF
THE STATE OF MISSOURI:

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

Eugene J. Hites, Democrat, 15 Hawn Court, Leadington, Saint

Francois County, Missouri 63601, as a member of the Dam and Reservoir Safety Council for a term ending April 3, 2008, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

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

SECOND READING OF SENATE BILLS

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

SB 690—Education.

SB 691—Ways and Means.

SB 692—Education.

SB 693—Ways and Means.

SB 694—Pensions, Veterans' Affairs and General Laws.

SB 695—Ways and Means.

SB 696—Seniors, Families and Public Health.

SB 697—Seniors, Families and Public Health.

SB 698—Pensions, Veterans' Affairs and General Laws.

SB 699—Commerce, Energy and the Environment.

SB 700—Ways and Means.

SB 701—Financial and Governmental Organizations and Elections.

SB 702—Financial and Governmental Organizations and Elections.

SB 703—Financial and Governmental Organizations and Elections.

SB 704—Health and Mental Health.

SB 705—Health and Mental Health.

SB 706—Economic Development, Tourism and Local Government.

SB 707—Small Business, Insurance and Industrial Relations.

SB 708—Education.

SB 709—Small Business, Insurance and Industrial Relations.

SB 710—Financial and Governmental Organizations and Elections.

SJR 25—Pensions, Veterans' Affairs and General Laws.

SJR 26—Financial and Governmental Organizations and Elections.

SJR 27—Ways and Means.

SJR 28—Financial and Governmental Organizations and Elections.

HOUSE BILLS ON SECOND READING

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

HCS for HB 16—Appropriations.

HB 269—Pensions, Veterans' Affairs and General Laws.

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **SB 53**, begs leave to report that it has considered the same and recommends that

the Senate Committee Substitute, hereto attached, do pass.

COMMUNICATIONS

Senator Stouffer submitted the following:

March 7, 2007

Mrs. Terry Spieler
Secretary of the Missouri Senate
State Capitol Building
Jefferson City, Missouri 65101

Dear Mrs. Spieler:

Pursuant to Senate Rule 45, I hereby request that SB 469 be removed from the consent calendar and returned to the Economic Development, Tourism, and Local Government Committee.

Please do not hesitate to contact me if you have any questions.

Sincerely,

/s/ Bill Stouffer

Senator Bill Stouffer

INTRODUCTIONS OF GUESTS

On behalf of Senators Justus, Bray and himself, Senator Gibbons introduced to the Senate, Rebecca Gilmore, Claire Pohle, Hannah Thames and Kathy Williams.

Senator Crowell introduced to the Senate, fourth through eighth grade students from Concordia-Trinity Lutheran School.

The President introduced to the Senate, Jon Rust, Gary Rust, II and Mark Kneer, Cape Girardeau.

The President introduced to the Senate, Mary Wilson.

Senator Crowell introduced to the Senate, fourth grade students from Cape Christian School.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Michael Nogalski, M.D., Frontenac.

Senator Mayer introduced to the Senate, fourth grade students Melinda Mower, Michelle McMillin, Kim Lowery, Glenda Jane, Bethany Britt, Donna Padrones, Charlene Hillburn, Mindy

Brown and Charlie Brown, Kennett.

Senator Bray introduced to the Senate, Jack Fox; parents and teachers and sixty-eight fourth grade students from Old Bonhomme School, Ladue.

Senator Engler introduced to the Senate,

Richard Herbel, Richard Greminger, Robert Walker, Eva Daly, Sandy Koller and Mickey Koetting, Ste. Genevieve.

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, March 12, 2007.

SENATE CALENDAR

THIRTY-EIGHTH DAY—MONDAY, MARCH 12, 2007

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 678

HB 70-Day, et al

HB 69-Day

HCS for HB 620

HCS for HBs 40, 116 & 367

HCS for HBs 636, 308 & 173

HB 488-Wasson

HB 46-Viebrock and Stevenson

HCS for HB 346

HB 220-Stevenson

HB 166-Hoskins

HB 255-Bruns

HCS for HB 221

HB 205-Marsh, et al

HCS for HB 272

HB 319-Villa

HB 344-Munzlinger, et al

HB 351-Wood, et al

HB 576-Cooper (120), et al

HB 264-Cunningham (86)

HCS for HB 459

HCS for HB 135

HCS for HB 405

HCS for HB 608

HB 732-Parson, et al

THIRD READING OF SENATE BILLS

SB 164-Scott

SCS for SB 64-Goodman and Koster

SCS for SB 456-Gross

SB 268-Coleman

SCS for SB 16-Scott

SCS for SB 54-Koster

SENATE BILLS FOR PERFECTION

1. SBs 239, 24 & 445-Stouffer, with SCS

2. SB 215-Loudon, with SCS

3. SB 297-Loudon, with SCS

4. SB 40-Ridgeway

- | | |
|---|---|
| 5. SB 47-Engler, with SCS | 25. SB 364-Koster, with SCS |
| 6. SB 418-Champion, with SCS | 26. SB 591-Scott and Gibbons, with SCS |
| 7. SBs 260 & 71-Koster, et al, with SCS | 27. SB 400-Crowell, et al |
| 8. SBs 370, 375 & 432-Scott and Koster,
with SCS | 28. SB 213-McKenna |
| 9. SB 257-Engler, et al | 29. SB 20-Griesheimer, with SCS |
| 10. SJRs 9 & 17-Crowell and Bartle, with SCS | 30. SB 85-Champion and Koster, with SCS |
| 11. SB 242-Nodler, with SCS | 31. SB 429-Gibbons, with SCS |
| 12. SB 160-Rupp, with SCS | 32. SB 5-Loudon, with SCS |
| 13. SB 320-Clemens, with SCS | 33. SB 368-Barnitz, et al, with SCS |
| 14. SB 492-Crowell | 34. SB 417-Goodman |
| 15. SB 476-Crowell | 35. SB 534-Nodler |
| 16. SB 303-Loudon, et al | 36. SB 254-Nodler, et al, with SCS |
| 17. SB 363-Bartle | 37. SJR 8-Ridgeway |
| 18. SB 82-Griesheimer, with SCS | 38. SBs 45 & 39-Mayer, with SCS |
| 19. SB 112-Rupp | 39. SB 17-Shields, with SCS |
| 20. SB 131-Rupp | 40. SB 385-Gibbons, with SCS |
| 21. SB 31-Nodler | 41. SB 66-Rupp, with SCS |
| 22. SB 250-Ridgeway and Vogel | 42. SB 313-Scott, with SCS |
| 23. SB 570-Clemens | 43. SB 453-Scott, with SCS |
| 24. SB 444-Goodman | 44. SB 391-Days, with SCS |
| | 45. SB 53-Koster and Engler, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 2-Gibbons, with SCS | SB 274-Shields |
| SB 3-Gibbons, with SCS | SB 282-Griesheimer, with SCS & SS
for SCS (pending) |
| SB 21-Griesheimer, with SCS | SB 287-Crowell and Vogel |
| SB 27-Bartle and Koster | SB 292-Mayer |
| SB 75-Coleman, et al, with SCS | SB 300-Bartle |
| SB 101-Mayer | SB 389-Nodler, et al, with SCS & SS#2
for SCS (pending) |
| SB 155-Engler, with SCS | SB 430-Shields, et al, with SCS, SS
for SCS, SA 3 & SA 1 to SA 3 (pending) |
| SB 169-Rupp, with SCS, SS for SCS & SA 3
(pending) | |
| SB 204-Stouffer, with SCS & SS for SCS
(pending) | |

CONSENT CALENDAR

Senate Bills

Reported 2/8

SB 211-Goodman

Reported 2/15

SB 8-Kennedy

Reported 2/22

SB 395-McKenna

Reported 3/1

SB 166-Griesheimer

SB 299-Purgason, with SCS

SB 323-Graham

SB 334-Griesheimer

SB 345-Shoemyer

SB 360-Goodman, with SCS

SB 352-Clemens

SB 139-Bray

SB 200-Stouffer

SB 543-Stouffer

SB 549-Scott

SB 416-Goodman

SB 328-Engler

SB 407-Shoemyer

SB 309-Stouffer, with SCS

SB 332-Stouffer

SB 498-Scott

SB 440-Days and Gibbons

Reported 3/8

SB 482-Gibbons, et al, with SCS

SB 150-Mayer, with SCS

SB 138-Bray

SB 369-Scott, with SCS

SB 509-Scott

SB 510-Scott

SB 525-Scott, with SCS

SB 526-Scott, with SCS

SB 550-Scott

SB 593-Scott

SB 594-Scott, with SCS

SB 478-Gross

SB 86-Champion, with SCS

SB 559-Shields

SB 497-Scott, with SCS

SB 671-Justus

SB 365-Koster, with SCS

SB 502-Koster

SB 333-Stouffer, with SCS

SB 516-Goodman

SB 426-Justus

SB 488-Clemens

SB 133-Rupp
SB 140-Rupp
SB 137-Bray, with SCS

SB 185-Green
SB 304-Loudon
SB 419-Kennedy

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 14, with SCS (Gross)

Unofficial

RESOLUTIONS

Reported from Committee

SCR 18-Gibbons

Journal
To be Referred

SCR 24-Bray

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