

Journal of the Senate

SECOND REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 18, 2006

The Senate met pursuant to adjournment.

Senator Bartle in the Chair.

Reverend Carl Gauck offered the following prayer:

"God opposes the proud, but gives grace to the humble."
(1Peter 5:5)

Gracious God, order our footsteps by Your teachings and open our hearts by Your directing so we may be about the things that we have been elected to do and what we do is done with our conscience clear, and our decisions and lives righteous. 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.

President Kinder assumed the Chair.

The Journal of the previous day was read and approved.

Senator Shields announced that photographers from the Associated Press, KRCG-TV, KOMU-TV, KMIZ-TV, Jefferson City News Tribune, Missouri National Guard, Missouri House of Representatives and the Senate had been given permission to take pictures in the Chamber today and that the Senate photographer had been given permission to video from the Gallery.

The following Senators were present during the day's proceedings:

Present—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Goodman	Graham
Green	Griesheimer	Gross	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Vogel	Wheeler

Wilson—33

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Klindt offered Senate Resolution No. 1771, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Bradley, Chillicothe, which was adopted.

Senator Klindt offered Senate Resolution No. 1772, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Roger Bryan, Savannah, which

was adopted.

Senator Coleman offered Senate Resolution No. 1773, regarding the New Northside Conference Center, which was adopted.

CONCURRENT RESOLUTIONS

Senators Coleman and Ridgeway offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, the lack of health care availability in the state of Missouri in unserved or under served areas compromises individual and state solvency, including depleting limited Medicaid resources; and

WHEREAS, the state of Missouri needs primary care physicians with training in the medical sciences including but not limited to anatomy, biochemistry, microbiology, immunology, pathology, physiology, physical and clinical diagnosis and treatment, lab diagnosis, diagnostic imaging, and natural therapeutics; and

WHEREAS, significant cost savings to the state of Missouri will result from identifying and implementing a system of treatment of disease with a respect to modalities including nutrition, botanical medicine, homeopathy, hydrotherapy, physical manipulation, pharmacology, minor surgery, and preventative care; and

WHEREAS, consistent with education and training, physical and laboratory examinations, diagnostic and imaging testing, dispensing, administering, and prescribing prescription drugs and medical devices are necessary elements to the provision of quality health care; and

WHEREAS, establishing uniform education standards and accountability throughout Missouri in curriculum and clinical training for primary care physicians protects the public health and welfare; and

WHEREAS, informing the public as to the benefits of preventative health care options is the best interest of both the patient and the public:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request that the Governor and the state of Missouri, establish a "Board of Naturopathic Medical Examiners"; and

BE IT FURTHER RESOLVED that such Board shall be comprised of five members to be appointed by the Governor, with the advice and consent of the Senate. The Board shall determine the scope of the practice of naturopathic physicians consistent with the education of the physician applicants. Four members of such Board shall be educated as primary care physicians with training in the

medical sciences, diagnosis and treatment, and natural therapeutics, qualified in the treatment of disease with a respect to modalities including nutrition, botanical medicine, homeopathy, hydrotherapy, physical manipulation, pharmacology, minor office procedures, and preventative care and one member shall have an interest in the rights of patient care consistent with this directive, representing the public at large; and

BE IT FURTHER RESOLVED that only a person who has received a doctor of naturopathy from a school, college, or institution that is accredited by the appropriate state educational accrediting agency in which its principal operations or offices are located, may hold themselves out as naturopathic physicians, except for primary care physicians who have a degree under Chapters 331 or 334, RSMo, and a doctor of naturopathy degree or health care providers who demonstrate a quality level of care for no less than twenty years as defined by the board created hereunder and who file an affidavit which such board stating qualifications that rise to the level of competence as determined in the sole discretion of such Board; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 890—By Bartle.

An Act to repeal section 589.425, RSMo, and to enact in lieu thereof one new section relating to the sexual offender registry, with penalty provisions.

SB 891—By Scott.

An Act to repeal section 21.795, RSMo, and to enact in lieu thereof one new section relating to the elimination of the position of the transportation inspector general.

SB 892—By Scott.

An Act to repeal sections 408.140 and 408.555, RSMo, and to enact in lieu thereof two new sections relating to mortgage loans.

SB 893—By Scott.

An Act to repeal section 321.554, RSMo, and

to enact in lieu thereof one new section relating to a sales tax for districts that provide certain emergency services.

SB 894—By Nodler, Shields, Bartle, Callahan, Gibbons and Griesheimer.

An Act to repeal section 163.021, RSMo, and to enact in lieu thereof one new section relating to school districts providing an adequate education to students.

SB 895—By Engler.

An Act to repeal sections 354.210, 354.350, 354.444, 354.722, 374.046, 374.210, 374.215, 374.280, 374.512, 374.755, 374.787, 374.789, 375.012, 375.020, 375.152, 375.236, 375.306, 375.310, 375.445, 375.720, 375.777, 375.780, 375.786, 375.787, 375.881, 375.940, 375.942, 375.946, 375.994, 375.1010, 375.1012, 375.1014, 375.1016, 375.1135, 375.1156, 375.1160, 375.1204, 375.1306, 375.1309, 376.309, 376.889, 376.1094, 379.361, 379.510, 379.790, 380.391, 380.571, and 384.071, RSMo, and to enact in lieu thereof fifty-six new sections relating to various enforcement powers of the department of insurance, with penalty provisions.

SB 896—By Griesheimer.

An Act to repeal sections 302.130 and 302.178, RSMo, and to enact in lieu thereof two new sections relating to the graduated driver's licensing system, with penalty provisions and an effective date.

SB 897—By Kennedy.

An Act to amend chapter 334, RSMo, by adding thereto nine new sections relating to the medical imaging and radiation therapy quality assurance act, with penalty provisions.

SB 898—By Koster and Barnitz.

An Act to repeal sections 41.655, 41.1010, 42.007, 160.053, and 168.021, RSMo, and to enact in lieu thereof five new sections relating to the members of the military and their families.

SB 899—By Dougherty and Bray.

An Act to repeal section 570.223, RSMo, and to enact in lieu thereof one new section relating to unlawfully obtaining call logs, with penalty provisions.

INTRODUCTION OF GUESTS

President Pro Tem Gibbons introduced to the Senate the Honorable Newt Gingrich, founder of the Center for Health Transformation, who assumed the dais and addressed the members of the Senate.

President Kinder assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 900—By Shields.

An Act to repeal section 161.410, RSMo, and to enact in lieu thereof one new section relating to the Missouri commission for deaf and hard of hearing fund.

SB 901—By Shields.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the joint committee on health, with an emergency clause.

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

January 17, 2006

To the Senate of the 93rd General Assembly of the State of Missouri:

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

Kenneth M. Berry, 14881 Greenleaf Valley Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Seismic Safety Commission, for a term ending July 1, 2008, and

until his successor is duly appointed and qualified; vice, Thomas Cooling, withdrawn.

Respectfully submitted,
Matt Blunt

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
January 17, 2006

To the Senate of the 93rd General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Doris J. Carlin, submitted on January 4, 2006. Line 3 should be amended as follows:

“a term ending October 16, 2010, and until her successor is duly appointed”

Respectfully submitted,
Matt Blunt

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
January 17, 2006

To the Senate of the 93rd General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Charles W. Davis, submitted on January 4, 2006. Line 3 should be amended as follows:

“Commission, for a term ending October 16, 2010, and until his successor”

Respectfully submitted,
Matt Blunt

President Pro Tem Gibbons referred the above appointment and addendums to the Committee on gubernatorial appointments.

On motion of Senator Shields, the Senate recessed until 2:15 p.m.

RECESS

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

INTRODUCTION OF BILLS

The following Bill was read the 1st time and

ordered printed:

SB 902—By Callahan.

An Act to amend chapter 149, RSMo, by adding thereto one new section relating to tobacco products that can be lawfully sold in Missouri.

REPORTS OF STANDING COMMITTEES

Senator Gross, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 1015**, begs leave to report that it has considered the same and recommends that the bill do pass.

SECOND READING OF SENATE BILLS

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

SRB 848—Pensions, Veterans’ Affairs and General Laws.

SB 849—Small Business, Insurance and Industrial Relations.

SB 850—Pensions, Veterans’ Affairs and General Laws.

SB 851—Transportation.

SB 852—Ways and Means.

SB 853—Judiciary and Civil and Criminal Jurisprudence.

SB 854—Small Business, Insurance and Industrial Relations.

SB 856—Economic Development, Tourism and Local Government.

SB 858—Pensions, Veterans’ Affairs and General Laws.

SB 859—Financial and Governmental Organi-

zations and Elections.

SB 860—Ways and Means.

SB 861—Pensions, Veterans' Affairs and General Laws.

SB 862—Agriculture, Conservation, Parks and Natural Resources.

SB 863—Economic Development, Tourism and Local Government.

SB 864—Small Business, Insurance and Industrial Relations.

SB 865—Ways and Means.

SB 866—Aging, Families, Mental and Public Health.

SB 867—Economic Development, Tourism and Local Government.

SB 868—Pensions, Veterans' Affairs and General Laws.

SB 869—Judiciary and Civil and Criminal Jurisprudence.

SB 870—Financial and Governmental Organizations and Elections.

SB 871—Pensions, Veterans' Affairs and General Laws.

RESOLUTIONS

Senator Green offered Senate Resolution No. 1774, regarding Lorraine Hopson, St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, Chuck and Michelle Lentz and their children, Josiah and Uriah, Bolivar; and Josiah and Uriah were made honorary pages.

Senator Mayer introduced to the Senate, Linda and Charles Jones, their granddaughter, Katie Dennis and Sara Eyler, Poplar Bluff; and Katie and Sara were made honorary pages.

Senator Stouffer introduced to the Senate, his wife, Sue Ellen, Napton.

Senator Purgason introduced to the Senate, Ron and Suzy Johnson, Sunrise Beach.

Senator Nodler introduced to the Senate, General King Sidwell, his wife Cindy and their son, Trent, Sikeston; and Trent was made an honorary page.

Senator Wheeler introduced to the Senate, Antwaun Smith, St. Joseph.

Senator Koster introduced to the Senate, his mother, Patricia Koster and his step-father, Bob Thompson, St. Charles.

Senator Scott introduced to the Senate, his wife, Donna, Lowry City; and Evangeline Kramer, Lyndon, Kansas.

Senator Nodler introduced to the Senate, Diane Turner, Royce Lowe and Micah Mense, Tess Harmon, Michael Swanson, Valerie Royer and Samantha Stout, third grade students from Joplin R-8 Gifted Center.

On behalf of Senator Cauthorn and himself, Senator Shields introduced to the Senate, Congressman Kenny Hulshoff.

Senator Barnitz introduced to the Senate, Pastor Keith Carnahan and students from the Maranatha Baptist Academy, St. Robert.

Senator Champion introduced to the Senate, the Physician of the Day, Dr. John Lilly, D.O., Springfield.

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

SENATE CALENDAR

 NINTH DAY—THURSDAY, JANUARY 19, 2006

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 872-Gibbons, et al	SB 890-Bartle
SB 873-Gibbons	SB 891-Scott
SB 874-Shields, et al	SB 892-Scott
SB 875-Barnitz, et al	SB 893-Scott
SB 876-Loudon	SB 894-Nodler, et al
SB 877-Kennedy and Bray	SB 895-Engler
SB 878-Champion	SB 896-Griesheimer
SB 879-Bray	SB 897-Kennedy
SB 880-Bray, et al	SB 898-Koster and Barnitz
SB 881-Engler	SB 899-Dougherty and Bray
SB 882-Engler	SB 900-Shields
SB 883-Engler	SB 901-Shields
SB 884-Callahan	SB 902-Callahan
SB 885-Cauthorn	SJR 34-Crowell and Barnitz
SB 886-Goodman	SJR 35-Crowell
SB 887-Green	SJR 36-Graham
SB 888-Koster	SJR 37-Graham
SB 889-Shields, et al	SJR 38-Gross

HOUSE BILLS ON THIRD READING

HB 1015-Icet (Gross)

RESOLUTIONS

HCR 2-Dempsey (Shields)

HCR 3-Dempsey (Shields)

To be Referred

SCR 23-Coleman and Ridgeway

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