

Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—MONDAY, JANUARY 30, 2006

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The fear of the Lord is the beginning of wisdom; those who act accordingly have a good understanding.” (Psalm 111:10a)

Lord God, we stand in awe of Your splendor and the marvelous works displayed in the beauty of this day. As we drove here in the warmth of the sunlight that came through our windshields, You showed forth Your power. In Your works, You teach us that our power comes from faithfulness and justice in our acts of compassion and fairness for the people we serve. Guide us this day so we may walk Your correct pathways and be Your servants in all our doings. 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 for Thursday, January 26, 2006 was read and approved.

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 Loudon offered Senate Resolution No. 1873, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Lloyd, Jr., Pontiac, which was adopted.

Senator Stouffer offered Senate Resolution No. 1874, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Joseph Wilson, Macon, which was adopted.

Senator Koster offered Senate Resolution No. 1875, regarding Zachary William Smith, Belton, which was adopted.

Senator Koster offered Senate Resolution No. 1876, regarding Ryan James Hayward, Belton, which was adopted.

Senator Stouffer offered Senate Resolution No. 1877, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dan Rowland, Bevier, which was adopted.

Senator Vogel offered Senate Resolution No. 1878, regarding Markus Corley, Jefferson City, which was adopted.

Senator Vogel offered Senate Resolution No. 1879, regarding Ryan Anthony Hall, Jefferson City, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1880, regarding Steven P. Kroeck, Bowling Green, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1881, regarding Marie E. Smith, Lewistown, which was adopted.

Senator Loudon offered Senate Resolution No. 1882, regarding VirRx, Chesterfield, which was adopted.

Senator Gibbons offered Senate Resolution No. 1883, regarding the Friends of the Kirkwood Public Library, which was adopted.

Senator Koster offered Senate Resolution No. 1884, regarding the Raymore-Peculiar High School Class 5 State Football Champions, which was adopted.

Senator Stouffer offered Senate Resolution No. 1885, regarding the birth of Colton Joseph Sellmeyer, which was adopted.

Senator Stouffer offered Senate Resolution No. 1886, regarding the birth of Olivia Katherine Martin, Shawnee, which was adopted.

Senator Stouffer offered Senate Resolution No. 1887, regarding the birth of Jaelynn Renae Fayth Hendricks, Clarence, which was adopted.

Senator Stouffer offered Senate Resolution No. 1888, regarding the birth of Megan Danielle Heimsoth, Sweet Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 1889, regarding the death of Billie Joe Lucas,

which was adopted.

Senator Stouffer offered Senate Resolution No. 1890, regarding the death of Earl Edward Norris, Richmond, which was adopted.

Senator Stouffer offered Senate Resolution No. 1891, regarding the birth of Markie Ann Martin, Excello, which was adopted.

Senator Stouffer offered Senate Resolution No. 1892, regarding the birth of Candice Marie Smith, Marshall, which was adopted.

Senator Scott offered Senate Resolution No. 1893, regarding Antonio Harris, Warsaw, which was adopted.

Senator Stouffer offered Senate Resolution No. 1894, regarding the birth of Kopeland Clein Walden, Carrollton, which was adopted.

Senator Goodman offered Senate Resolution No. 1895, regarding Terry Collings, Anderson, which was adopted.

Senator Goodman offered Senate Resolution No. 1896, regarding Terry Lett, Noel, which was adopted.

Senator Goodman offered Senate Resolution No. 1897, regarding the Aurora R-VIII School District, which was adopted.

Senator Bray offered Senate Resolution No. 1898, regarding Akermin, Incorporated, Saint Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1899, regarding Joey's Seafood and Grill, Cape Girardeau, which was adopted.

Senator Champion offered Senate Resolution No. 1900, regarding the Springfield Little Theatre, which was adopted.

Senator Champion offered Senate Resolution No. 1901, regarding Digital Transcription Services, Springfield, which was adopted.

Senators Shields and Coleman offered Senate Resolution No. 1902, regarding the Sixtieth

Anniversary of the National Multiple Sclerosis Society, which was adopted.

Senator Clemens offered Senate Resolution No. 1903, regarding the Spokane R-II School District, which was adopted.

Senator Clemens offered Senate Resolution No. 1904, regarding the Sparta R-III School District, which was adopted.

Senator Engler offered Senate Resolution No. 1905, regarding Waylon Joseph Vines, Bloomsdale, which was adopted.

Senator Bartle offered Senate Resolution No. 1906, regarding Dr. Ted Lewman, which was adopted.

Senator Gross offered Senate Resolution No. 1907, regarding Kevin Corbett Arnold, St. Charles, which was adopted.

Senator Vogel offered Senate Resolution No. 1908, regarding Shirley Patterson, Jefferson City, which was adopted.

INTRODUCTION OF BILLS

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

SB 966—By Green.

An Act to amend chapters 64 and 67, RSMo, by adding thereto two new sections relating to sports authority lobbyists.

SB 967—By Green.

An Act to repeal section 290.500, RSMo, and to enact in lieu thereof one new section relating to overtime exemptions.

SB 968—By Green.

An Act to repeal sections 320.200, 320.271, 320.300, and 320.310, RSMo, and to enact in lieu thereof four new sections relating to fire protection.

SB 969—By Stouffer.

An Act to repeal sections 301.055, 301.057, 301.058, 301.070, 301.130, 301.144, 301.560, 311.326, and 430.082, RSMo, and to enact in lieu thereof nine new sections relating to the regulation of motor vehicles, with an effective date for certain sections.

SB 970—By Gross.

An Act to repeal sections 163.011 and 163.031, as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 287, ninety-third general assembly, first regular session, and to enact in lieu thereof two new sections relating to fine revenues received by school districts, with an emergency clause.

SB 971—By Nodler and Scott.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to medical assistance.

SB 972—By Kennedy.

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

SB 973—By Shields.

An Act to repeal section 331.010, RSMo, and to enact in lieu thereof one new section relating to the practice of chiropractic.

SB 974—By Shields.

An Act to repeal section 633.032, RSMo, and to enact in lieu thereof one new section relating to mental health waitlists for services.

SJR 39—By Ridgeway, Crowell, Cauthorn, Mayer, Scott, Alter, Barnitz and Gross.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
January 30, 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 made and commissioned by me on December 28, 2005 while the Senate was not in session.

Stephen C. Morrow, 2025 East Thornridge Circle, Bolivar, Polk County, Missouri 65613, as Ombudsman Child Advocate of the Children's Protection and Services, for a term that began on December 7, 2004, and was filled by acting Child Advocate Mary McEniry and ends December 7, 2010, and until his successor is duly appointed and qualified; vice, Mary McEniry, term expired.

Respectfully submitted,

MATT BLUNT

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

SECOND READING OF SENATE BILLS

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

SB 950—Pensions, Veterans' Affairs and General Laws.

SB 951—Economic Development, Tourism and Local Government.

SB 952—Transportation.

SB 953—Small Business, Insurance and Industrial Relations.

SB 954—Ways and Means.

SB 955—Commerce, Energy and the Environment.

SB 956—Transportation.

SB 957—Judiciary and Civil and Criminal Jurisprudence.

SB 958—Commerce, Energy and the

Environment.

SB 959—Pensions, Veterans' Affairs and General Laws.

SB 960—Judiciary and Civil and Criminal Jurisprudence.

SB 961—Transportation.

SB 962—Education.

SB 963—Economic Development, Tourism and Local Government.

SB 964—Pensions, Veterans' Affairs and General Laws.

SB 965—Aging, Families, Mental and Public Health.

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 587**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crowell, Chairman of the Committee on Pensions, Veterans' Affairs and General Laws, submitted the following report:

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **SB 748**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kinder assumed the Chair.

COMMUNICATIONS

President Pro Tem Gibbons submitted the following:

January 26, 2006

Mrs. Terry Spieler
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Senate Appointment to the Missouri Health Facilities Review Board

Dear Terry:

Pursuant to Section 197.310, RSMo, I am appointing the following senator to the Missouri Health Facilities Review Board:

Senator Bill Stouffer

If you have any questions, do not hesitate to contact me.

Yours truly,
/s/ Michael R. Gibbons
MICHAEL R. GIBBONS

RESOLUTIONS

Senator Alter offered Senate Resolution No. 1909, regarding Marilyn Pinson, Barnhart, which

was adopted.

Senator Klindt offered Senate Resolution No. 1910, regarding Christopher W. States, King City, which was adopted.

Senator Klindt offered Senate Resolution No. 1911, regarding Curtis Dyer, Albany, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Griesheimer introduced to the Senate, Amanda Moore, Hardin, Illinois.

Senator Nodler introduced to the Senate, Will Keczkemethi and thirteen students from Joplin High School.

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

SENATE CALENDAR

FIFTEENTH DAY—TUESDAY, JANUARY 31, 2006

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 966-Green
SB 967-Green
SB 968-Green
SB 969-Stouffer
SB 970-Gross

SB 971-Nodler and Scott
SB 972-Kennedy
SB 973-Shields
SB 974-Shields
SJR 39-Ridgeway, et al

SENATE BILLS FOR PERFECTION

SB 587-Bartle, with SCS

SB 748-Vogel and Engler, with SCS

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