

# Journal of the Senate

SECOND REGULAR SESSION

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EIGHTEENTH DAY—MONDAY, FEBRUARY 6, 2006

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The Senate met pursuant to adjournment.

Scott                      Shields                      Stouffer                      Vogel  
Wheeler                      Wilson—30

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent—Senators—None

"For my brethren and companion's sake, I pray for your prosperity." (Psalm 122:8)

Absent with leave—Senators

Holy Lord, we give You thanks for bringing us safely together and ask as we begin this week for the prosperity for the people of this state that we might have the resources to provide for the care and protection of our fellow citizens and may do what is right and proper for all our people and may we live in peace and joy in Your presence. In Your Holy Name we pray. Amen.

Barnitz                      Graham                      Loudon—3

Vacancies—1

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 2, 2006 was read and approved.

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

Present—Senators

Alter	Bartle	Bray	Callahan
Cauthorn	Champion	Clemens	Coleman
Crowell	Days	Dougherty	Engler
Gibbons	Goodman	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Mayer	Nodler	Purgason	Ridgeway

## RESOLUTIONS

Senator Days offered Senate Resolution No. 1934, regarding Paul Lee, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 1935, regarding the birth of Grayson William Cole, Glasgow, which was adopted.

Senator Stouffer offered Senate Resolution No. 1936, regarding the birth of Madilynn Joe McAlpin, which was adopted.

Senator Stouffer offered Senate Resolution No. 1937, regarding the birth of Jessalyn Parks, Macon, which was adopted.

Senator Stouffer offered Senate Resolution No. 1938, regarding the birth of Emily Marie Rice, Liberty, which was adopted.

Senator Stouffer offered Senate Resolution No. 1939, regarding the birth of Joshua Matthew

Wriedt, Callao, which was adopted.

Senator Stouffer offered Senate Resolution No. 1940, regarding the birth of Jayden Michael Shiflett, Fayette, which was adopted.

Senator Stouffer offered Senate Resolution No. 1941, regarding the birth of Tara Lynn Gardenier, which was adopted.

Senator Stouffer offered Senate Resolution No. 1942, regarding Mr. and Mrs. Steven Nation, which was adopted.

Senator Green offered Senate Resolution No. 1943, regarding Steven E. Wylie, Leasburg, which was adopted.

Senator Bray offered Senate Resolution No. 1944, regarding Beth Goyer, Des Peres, which was adopted.

Senator Koster offered Senate Resolution No. 1945, regarding Timothy John Kruse, Belton, which was adopted.

Senator Koster offered Senate Resolution No. 1946, regarding Daniel Simes, Belton, which was adopted.

Senator Koster offered Senate Resolution No. 1947, regarding Aaron B. Winters, Belton, which was adopted.

Senator Koster offered Senate Resolution No. 1948, regarding the S.A. Flick Seed Company, Kingsville, which was adopted.

Senator Goodman offered Senate Resolution No. 1949, regarding the Lions Club, Monett, which was adopted.

Senator Goodman offered Senate Resolution No. 1950, regarding Casey Patrick Bernsen, Shell Knob, which was adopted.

Senator Gross offered Senate Resolution No. 1951, regarding David Kurre, St. Charles, which was adopted.

Senator Gross offered Senate Resolution No. 1952, regarding Peggy Neer, St. Charles, which

was adopted.

Senator Dougherty offered Senate Resolution No. 1953, regarding the birth of Michaella Josephine Johnson, Affton, which was adopted.

Senator Gibbons offered Senate Resolution No. 1954, regarding Carl A. Leibner, O'Fallon, which was adopted.

Senator Gibbons offered Senate Resolution No. 1955, regarding the March of Dimes, Greater Missouri Chapter, which was adopted.

Senator Wheeler offered Senate Resolution No. 1956, regarding Ronald D. Jury, which was adopted.

Senator Coleman offered Senate Resolution No. 1957, regarding Somark, Saint Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 1958, regarding Logistical Resource Solutions, Incorporated, Saint Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 1959, regarding Sally Brayley Bliss, St. Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1960, regarding the Jackson High School Wind Symphony, which was adopted.

Senator Crowell offered Senate Resolution No. 1961, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Hansel Robinson, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 1962, regarding Brent Wessel, Cape Girardeau, which was adopted.

Senator Shields offered Senate Resolution No. 1963, regarding the Boy Scouts of America, which was adopted.

Senator Champion offered Senate Resolution No. 1964, regarding Andrew Christopher Wayne, Springfield, which was adopted.

Senator Nodler offered Senate Resolution No.

1965, regarding Paula J. Hartzell, MD, PC, Joplin, which was adopted.

Senator Engler offered Senate Resolution No. 1966, regarding John William Libby, Farmington, which was adopted.

Senator Alter offered Senate Resolution No. 1967, regarding Charlene “Char” Byers, Festus, which was adopted.

Senator Klindt offered Senate Resolution No. 1968, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Calvin V. Jones, Chillicothe, which was adopted.

### **INTRODUCTION OF BILLS**

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

**SB 1005**—By Stouffer.

An Act to repeal sections 197.215, 197.305, 197.315, 197.317, 197.325, 197.340, 197.345, 197.355, 197.357, and 197.366, RSMo, and to enact in lieu thereof twenty-one new sections relating to health care facilities, with an expiration date for certain sections.

**SB 1006**—By Goodman, Klindt, Engler, Koster, Callahan, Crowell, Mayer, Ridgeway and Nodler.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an income tax credit for volunteer firefighters.

**SB 1007**—By Goodman and Days.

An Act to amend chapter 367, RSMo, by adding thereto one new section relating to unsolicited negotiable instruments.

**SB 1008**—By Klindt.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the governor’s advisory council on agricultural science and technology.

**SB 1009**—By Klindt.

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to plant biotechnology.

**SB 1010**—By Wheeler.

An Act to repeal sections 347.187, 355.020, 355.171, 355.631, 355.791, 358.440, 359.041, and 359.121, RSMo, and to enact in lieu thereof eight new sections relating to filings and duties of corporations and partnerships, with a penalty clause.

**SB 1011**—By Wheeler.

An Act to repeal sections 59.163, 59.170, 59.319, and 59.331, RSMo, and to enact in lieu thereof five new sections relating to recorder of deeds.

**SB 1012**—By Wheeler.

An Act to repeal section 194.119, RSMo, and to enact in lieu thereof one new section relating to designation of next-of-kin for deceased persons.

**SB 1013**—By Crowell.

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to the disclosure of news sources and information.

**SB 1014**—By Scott and Gibbons.

An Act to repeal sections 115.126, 115.163, 115.223, 115.427, 115.430, 115.431, 115.631, and 115.637, RSMo, and to enact in lieu thereof eleven new sections relating to election administration, with penalty provisions and an emergency clause.

**SB 1015**—By Kennedy.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to hepatitis C testing.

**SB 1016**—By Gross.

An Act to repeal section 137.390, RSMo, and to enact in lieu thereof one new section relating to determination of tax rates for county commissions,

with an emergency clause.

### SENATE BILLS FOR PERFECTION

**SB 849** was placed on the Informal Calendar.

**SB 773**, with **SCS**, was placed on the Informal Calendar.

**SB 689** was placed on the Informal Calendar.

**SB 645** was placed on the Informal Calendar.

**SB 690**, with **SCS**, was placed on the Informal Calendar.

Senator Nodler moved that **SB 590**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 590**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 590

An Act to repeal sections 172.287, 173.005, 174.450, 174.453, and 174.500, RSMo, and to enact in lieu thereof nine new sections relating to the powers of the coordinating board of higher education, with penalty provisions and a termination date for a certain section.

Was taken up.

Senator Nodler moved that **SCS** for **SB 590** be adopted.

Senator Nodler offered **SS** for **SCS** for **SB 590**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 590

An Act to repeal sections 172.287, 173.005, 173.616, 174.450, 174.453, and 174.500, RSMo, and to enact in lieu thereof ten new sections relating to the powers of the coordinating board of higher education, with penalty provisions and a termination date for a certain section.

Senator Nodler moved that **SS** for **SCS** for **SB 590** be adopted.

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

### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 8, Section 173.005, Lines 10-18, by striking said lines and inserting in lieu thereof: "institution appeals such decision to the full coordinating board, which shall have the authority to make a" and further amend said Bill, page 13, section 173.125, lines 15-28, by striking said lines and further amend page 14, lines 1-2, by striking said lines and inserting in lieu: "shall be reviewed by the full coordinating board, at".

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Nodler, **SB 590**, with **SCS** and **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

### MESSAGES FROM THE HOUSE

The following message was 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 **HCR 5**, entitled:

#### HOUSE CONCURRENT RESOLUTION NO. 5

Relating to the observance of Ronald Reagan Day in Missouri.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, Union leader, corporate spokesman, Governor of California, and President of the United States; and

Whereas, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America, the second of which he earned the confidence of 60% of the electorate and was victorious in 49 of the 50 states in the general election - a record unsurpassed in the history of American presidential elections; and

Whereas, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

Whereas, during Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an

unprecedented economic expansion and opportunity for millions of Americans; and

Whereas, Mr Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

Whereas, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges; and

Whereas, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

Whereas, February 6th is the birthday of Ronald Reagan:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate concurring therein, hereby declare February 6th of each year to be "Ronald Reagan Day" in Missouri

and urge all citizens of Missouri to recognize this event and participate fittingly in its observance; and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### INTRODUCTIONS OF GUESTS

Senator Coleman introduced to the Senate, Michelle Tanner, New Orleans, Louisiana.

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

## SENATE CALENDAR

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NINETEENTH DAY—TUESDAY, FEBRUARY 7, 2006

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## FORMAL CALENDAR

### SECOND READING OF SENATE BILLS

SB 975-Days	SB 991-Mayer, et al
SB 976-Gibbons	SB 992-Scott
SB 977-Bartle	SB 993-Scott
SB 978-Kennedy, et al	SB 994-Dougherty, et al
SB 979-Griesheimer	SB 995-Dougherty, et al
SB 980-Clemens	SB 996-Dougherty
SB 981-Goodman, et al	SB 997-Kennedy and Coleman
SB 982-Koster	SB 998-Champion
SB 983-Mayer, et al	SB 999-Alter
SB 984-Purgason	SB 1000-Loudon
SB 985-Cauthorn and Mayer	SB 1001-Griesheimer
SB 986-Green	SB 1002-Mayer
SB 987-Green	SB 1003-Mayer
SB 988-Green	SB 1004-Days
SB 989-Bray	SB 1005-Stouffer
SB 990-Vogel	SB 1006-Goodman, et al

SB 1007-Goodman and Days  
 SB 1008-Klindt  
 SB 1009-Klindt  
 SB 1010-Wheeler  
 SB 1011-Wheeler

SB 1012-Wheeler  
 SB 1013-Crowell  
 SB 1014-Scott and Gibbons  
 SB 1015-Kennedy  
 SB 1016-Gross

#### SENATE BILLS FOR PERFECTION

SJR 26-Ridgeway and Graham  
 SBs 858 & 868-Shields, with SCS

SB 583-Griesheimer and Alter, with SCS

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

SB 590-Nodler and Champion, with SCS, SS  
 for SCS & SA 1 (pending)  
 SB 645-Griesheimer  
 SB 689-Scott

SB 690-Champion, with SCS  
 SB 773-Cauthorn and Barnitz, with SCS  
 SB 849-Mayer, et al

#### CONSENT CALENDAR

##### Senate Bills

##### Reported 2/2

SB 749-Engler, with SCS  
 SB 747-Klindt, with SCS  
 SB 641-Scott  
 SB 808-Ridgeway  
 SB 818-Scott  
 SB 819-Scott  
 SB 828-Scott  
 SB 691-Champion  
 SB 678-Gross  
 SB 630-Gross, with SCS

SB 805-Gross  
 SB 612-Engler  
 SB 646-Griesheimer, with SCS  
 SB 712-Scott  
 SB 802-Shields, with SCS  
 SB 648-Champion  
 SB 677-Gross  
 SB 791-Mayer and Kennedy  
 SB 871-Coleman

RESOLUTIONS

Reported from Committee

SCR 25-Cauthorn, with SCS  
SCR 24-Scott, with SCS

SCR 22-Champion

To be Referred

HCR 5-Bearden

Unofficial  
✓

Journal

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