

# Journal of the Senate

SECOND REGULAR SESSION

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SECOND DAY—THURSDAY, JANUARY 5, 2006

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The Lord shall watch over your going out and your coming in, for this time forth forevermore." (Psalm 121:8)

Gracious God, as we commute back and forth from the Capitol to our homes and back and forth again and again, help us to be mindful of our responsibilities while driving and truly watch over our "going out and coming in." Bring us safely back to those we love and may we be found in Your house of prayer this weekend. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

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 Shields offered Senate Resolution No. 1643, regarding James Farley, Platte County, which was adopted.

Senator Shields offered Senate Resolution No. 1644, regarding Carl M. Myers, M.D., Platte County, which was adopted.

Senator Shields offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1645

BE IT RESOLVED by the Senate, that the Administrator of the Senate be and is hereby instructed to have placed in the Post

Office of the Senate, or delivered each day to such other address as may be designated, Missouri newspapers for each Senator and each elected officer of the Senate, such papers to be designated by the Senator or officer, and the expenses of same to be paid out of the contingent fund of the Senate.

### CONCURRENT RESOLUTIONS

Senator Shields moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Shields, **HCR 1** was adopted by the following vote:

#### YEAS—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	Ridgeway	Scott	Shields
Stouffer	Vogel	Wilson—31	

#### NAYS—Senators—None

#### Absent—Senators—None

#### Absent with leave—Senators

Purgason Wheeler—2

#### Vacancies—1

Senator Bray requested unanimous consent of the Senate to withdraw **SB 698**, which request was granted.

### INTRODUCTION OF BILLS

**SB 810**—By Dougherty, Bray, Days, Kennedy, Coleman, Wilson, Graham, Callahan, Barnitz and Green.

An Act to repeal section 208.014, RSMo, and to enact in lieu thereof one new section relating to medical assistance.

**SB 811**—By Bray, Dougherty, Days, Coleman and Wilson.

An Act to repeal sections 379.316, 383.150,

and 538.225, RSMo, and to enact in lieu thereof twelve new sections relating to medical malpractice insurance, with an emergency clause.

**SB 812**—By Cauthorn.

An Act to repeal section 227.240, RSMo, and to enact in lieu thereof one new section relating to the location and removal of public utility equipment, with penalty provisions.

**SB 813**—By Ridgeway.

An Act to amend chapter 354, RSMo, by adding thereto one new section relating to physician contractual relationships.

**SB 814**—By Coleman.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax credits for low income household purchases of personal computers.

**SB 815**—By Coleman.

An Act to repeal section 558.019, RSMo, and to enact in lieu thereof one new section relating to sentencing discretion.

**SB 816**—By Griesheimer and Coleman.

An Act to amend chapter 143, RSMo, by adding thereto five new sections relating to the fair competition in video act.

**SB 817**—By Scott, Koster, Callahan, Mayer, Green and Gibbons.

An Act to repeal sections 287.896 and 374.790, RSMo, and to enact in lieu thereof one new section relating to workers compensation insurance.

**SB 818**—By Scott.

An Act to repeal section 105.483, RSMo, and to enact in lieu thereof one new section relating to filing financial interest statements.

**SB 819**—By Scott.

An Act to repeal section 327.391, RSMo, and to enact in lieu thereof one new section relating to professional engineer and land surveyor licenses.

**SB 820**—By Koster.

An Act to repeal section 33.700, RSMo, and to enact in lieu thereof one new section relating to the governmental emergency fund.

**MESSAGES FROM THE GOVERNOR**

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

January 5, 2006

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

The following addendum should be made to the appointment of Vincent D. Hillyer to the Child Abuse and Neglect Review Board, submitted on January 4, 2006. Line 3 should be amended as follows:

“term ending April 7, 2008, and until his successor is duly appointed and”

Respectfully submitted,  
Matt Blunt

President Pro Tem Gibbons referred the above addendum and the gubernatorial appointments appearing on pages 20-38 of the Senate Journal for Wednesday, January 4, 2006 to the Committee on Gubernatorial Appointments.

**REFERRALS**

President Pro Tem Gibbons referred **SCR 21** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

**COMMUNICATIONS**

President Pro Tem Gibbons submitted the

following:

January 2, 2006

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

**RE: Reappointment to the Missouri State Unemployment Council**

Dear Mrs. Spieler:

Pursuant to Section 288.475, RSMo, I am reappointing Janet Poppen to the Missouri State Unemployment Council.

If you have any questions, please feel free to contact me at your earliest convenience.

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

**INTRODUCTIONS OF GUESTS**

Senator Dougherty introduced to the Senate, the Physician of the Day, Catherine M. Dunn, M.D., Ballwin.

Senator Coleman introduced to the Senate, Rory Roundtree, Kirksville.

Senator Dougherty introduced to the Senate, Cathy Brown and Melissa Horn, Columbia.

Senator Gross introduced to the Senate, Maggie Wolcott, Smithville; and Ross Branson, Jefferson City.

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, January 9, 2006.

**SENATE CALENDAR**

**THIRD DAY—MONDAY, JANUARY 9, 2006**

**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

SB 557-Gibbons  
SB 558-Gibbons

SB 559-Gibbons  
SB 560-Gross

SB 561-Gross	SB 606-Ridgeway
SB 562-Gross	SB 608-Crowell, et al
SB 563-Loudon	SB 609-Crowell, et al
SB 564-Loudon	SB 610-Crowell
SB 565-Loudon	SB 611-Engler
SB 566-Dougherty, et al	SB 612-Engler
SB 567-Dougherty, et al	SB 613-Engler and Crowell
SB 568-Dougherty, et al	SB 614-Stouffer
SB 569-Cauthorn, et al	SB 615-Stouffer
SB 570-Cauthorn	SB 616-Stouffer
SB 571-Cauthorn	SB 617-Koster
SB 572-Coleman	SB 618-Koster
SB 573-Coleman	SB 619-Koster
SB 574-Coleman	SB 620-Green and Callahan
SB 575-Scott and Nodler	SB 621-Green
SB 576-Scott, et al	SB 622-Green
SB 577-Scott	SB 623-Graham
SB 578-Shields	SB 624-Graham
SB 579-Shields	SB 625-Graham
SB 580-Shields	SB 626-Wilson
SB 582-Griesheimer	SB 627-Wilson
SB 583-Griesheimer and Alter	SB 628-Wilson
SB 584-Champion	SB 629-Gross
SB 585-Champion	SB 630-Gross
SB 586-Champion	SB 632-Dougherty, et al
SB 587-Bartle	SB 633-Dougherty, et al
SB 588-Bartle and Scott	SB 634-Dougherty, et al
SB 589-Bartle	SB 635-Cauthorn
SB 590-Nodler and Champion	SB 636-Cauthorn
SB 591-Nodler	SB 637-Cauthorn, et al
SB 592-Nodler and Crowell	SB 638-Coleman
SB 593-Bray, et al	SB 639-Coleman
SB 594-Bray	SB 640-Coleman
SB 595-Bray	SB 641-Scott
SB 596-Days	SB 642-Scott
SB 597-Days	SB 643-Scott
SB 598-Days	SB 644-Shields
SB 599-Wheeler	SB 645-Griesheimer
SB 600-Wheeler	SB 646-Griesheimer
SB 601-Wheeler	SB 647-Griesheimer
SB 602-Callahan	SB 648-Champion
SB 603-Callahan	SB 649-Champion
SB 604-Callahan	SB 650-Champion
SB 605-Ridgeway	SB 651-Bartle

SB 652-Bartle	SB 696-Nodler and Crowell
SB 653-Bartle	SB 697-Nodler
SB 654-Nodler	SB 699-Bray
SB 655-Nodler	SB 700-Bray and Days
SB 656-Nodler	SB 701-Crowell
SB 657-Bray	SB 702-Crowell, et al
SB 658-Bray, et al	SB 703-Crowell, et al
SB 659-Bray	SB 704-Engler and Mayer
SB 660-Days	SB 705-Engler and Cauthorn
SB 661-Ridgeway	SB 706-Wilson and Days
SB 662-Crowell	SB 707-Wilson
SB 663-Crowell	SB 708-Wilson
SB 664-Crowell	SB 709-Cauthorn
SB 665-Engler	SB 710-Cauthorn
SB 666-Engler	SB 711-Cauthorn
SB 667-Engler	SB 712-Scott
SB 668-Koster	SB 713-Champion
SB 669-Koster	SB 714-Nodler
SB 670-Green	SB 715-Bray
SB 671-Green	SB 716-Bray, et al
SB 672-Green	SB 717-Bray and Graham
SB 673-Graham	SB 718-Crowell and Mayer
SB 674-Wilson and Days	SB 719-Crowell
SB 675-Wilson, et al	SB 720-Crowell
SB 676-Wilson	SB 721-Wilson
SB 677-Gross	SB 722-Cauthorn
SB 678-Gross	SB 723-Cauthorn
SB 679-Gross	SB 724-Cauthorn
SB 680-Dougherty, et al	SB 725-Bray, et al
SB 681-Dougherty	SB 726-Bray
SB 682-Cauthorn	SB 727-Bray
SB 683-Cauthorn	SB 728-Crowell
SB 684-Cauthorn	SB 729-Crowell
SB 685-Coleman	SB 730-Crowell
SB 686-Coleman	SB 731-Cauthorn
SB 687-Scott	SB 732-Cauthorn
SB 688-Scott	SB 733-Cauthorn
SB 689-Scott	SB 734-Bray
SB 690-Champion	SB 735-Crowell
SB 691-Champion	SB 736-Crowell and Cauthorn
SB 692-Champion	SB 737-Crowell and Engler
SB 693-Bartle and Crowell	SB 738-Cauthorn
SB 694-Bartle	SB 739-Cauthorn
SB 695-Nodler	SB 740-Cauthorn

SB 741-Crowell	SB 785-Alter
SB 742-Crowell	SB 786-Graham
SB 743-Crowell	SB 787-Klindt
SB 744-Klindt	SB 788-Klindt
SB 745-Klindt and Engler	SB 789-Dougherty
SB 746-Klindt	SB 790-Clemens
SB 747-Klindt	SB 791-Mayer and Kennedy
SB 748-Vogel and Engler	SB 792-Mayer
SB 749-Engler	SB 793-Engler
SB 750-Gross	SB 794-Kennedy
SB 751-Stouffer	SB 795-Kennedy and Griesheimer
SB 752-Graham	SB 796-Dougherty, et al
SB 753-Alter	SB 797-Crowell
SB 754-Scott	SB 798-Nodler
SB 755-Clemens	SB 799-Engler
SB 756-Clemens	SB 800-Shields
SB 757-Clemens	SB 801-Shields
SB 758-Engler	SB 802-Shields
SB 759-Engler	SB 803-Griesheimer
SB 760-Engler	SB 804-Gross
SB 761-Stouffer	SB 805-Gross
SB 762-Graham, et al	SB 806-Gross
SB 763-Alter	SB 807-Gross
SB 764-Engler	SB 808-Ridgeway
SB 765-Dougherty	SB 809-Graham
SB 766-Vogel	SB 810-Dougherty, et al
SB 767-Graham	SB 811-Bray, et al
SB 768-Graham	SB 812-Cauthorn
SB 769-Mayer	SB 813-Ridgeway
SB 770-Mayer and Crowell	SB 814-Coleman
SB 771-Mayer	SB 815-Coleman
SB 772-Green	SB 816-Griesheimer and Coleman
SB 773-Cauthorn and Barnitz	SB 817-Scott, et al
SB 774-Bartle	SB 818-Scott
SB 775-Cauthorn	SB 819-Scott
SB 776-Nodler, et al	SB 820-Koster
SB 777-Bray and Days	SJR 21-Cauthorn
SB 778-Ridgeway, et al	SJR 22-Cauthorn
SB 779-Engler	SJR 23-Bartle, et al
SB 780-Klindt	SJR 24-Bartle
SB 781-Ridgeway	SJR 25-Clemens
SB 782-Engler	SJR 26-Ridgeway
SB 783-Engler	SJR 27-Crowell
SB 784-Alter	SJR 28-Engler

SJR 29-Engler  
SJR 30-Graham  
SJR 31-Ridgeway and Shields

SJR 32-Graham  
SJR 33-Graham

RESOLUTIONS

HCR 2-Dempsey (Shields)

HCR 3-Dempsey (Shields)

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