

Journal of the Senate

SECOND REGULAR SESSION

FIFTEENTH DAY—TUESDAY, JANUARY 31, 2006

The Senate met pursuant to adjournment.

Senator Crowell in the Chair.

Reverend Carl Gauck offered the following prayer:

"It is God who girds me about with strength and makes my way secure." (Psalm 18:33)

Dear God, today we end a month that has flown by and we know that our work here has just begun and there will be many long days and tiring meetings and lengthy sessions in this chamber, so we need You to strengthen us for the many tasks ahead. We also ask that You will be an ever present help to us that we may keep our hands clean and be rewarded. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

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

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 Engler offered Senate Resolution No. 1912, regarding Shaun Matthew Topping, Park Hills, which was adopted.

Senator Stouffer offered Senate Resolution No. 1913, regarding Megan Germann, Carrollton, which was adopted.

Senator Stouffer offered Senate Resolution No. 1914, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Albert Eugene Edwards, Carrollton, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1915, regarding Byron L. Jahn, Mexico, which was adopted.

Senator Cauthorn offered Senate Resolution No. 1916, regarding Cason Music, Kirksville, which was adopted.

INTRODUCTION OF BILLS

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

SB 975—By Days.

An Act to repeal sections 408.500, 408.505, and 408.506, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with penalty provisions.

SB 976—By Gibbons.

An Act to repeal section 260.750, RSMo, and to enact in lieu thereof two new sections relating to the transportation of radioactive waste, with an emergency clause.

SB 977—By Bartle.

An Act to repeal section 590.190, RSMo, and to enact in lieu thereof one new section relating to the POST commission.

SB 978—By Kennedy, Bray, Green and Graham.

An Act to repeal section 163.087, 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 one new section relating to the distribution of the school district trust fund, with an emergency clause.

SB 979—By Griesheimer.

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to duties and liabilities of ski area operators and skiers.

SB 980—By Clemens.

An Act to repeal sections 335.212 and 335.233, RSMo, and to enact in lieu thereof two

new sections relating to the nursing student loan program.

SB 981—By Goodman, Days, Engler, Nodler and Alter.

An Act to repeal section 43.060, RSMo, and to enact in lieu thereof one new section relating to the highway patrol.

SB 982—By Koster.

An Act to repeal sections 43.650, 589.402, and 589.414, RSMo, and to enact in lieu thereof three new sections relating to sexual offenders.

SB 983—By Mayer, Koster and Griesheimer.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to school district operational expenditures, with a referendum clause.

SENATE BILLS FOR PERFECTION

Senator Bartle moved that **SB 587**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 587**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 587

An Act to repeal section 488.5050, RSMo, and to enact in lieu thereof one new section relating to the DNA profiling analysis fund, with an expiration date.

Was taken up.

Senator Scott assumed the Chair.

Senator Bartle moved that **SCS** for **SB 587** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 587, Page 1, Section 488.5050, Line 6, by inserting after the word “felony” the following: “, **except when the defendant pleads**

guilty or is found guilty of a class B felony, class A felony, or an unclassified felony under chapter 195, RSMo, in which case, the surcharge shall be sixty dollars”.

Senator Callahan moved that the above amendment be adopted.

Senator Crowell offered SSA 1 for SA 1, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 587, Page 1, Section 488.5050, Line 6, by inserting after the word “felony” the following: “, **except when the defendant pleads guilty or is found guilty of a class B felony, class A felony, or an unclassified felony under chapter 195, RSMo, in which case, the surcharge shall be \$6,000.00 dollars”.**

Senator Crowell moved that the above substitute amendment be adopted.

At the request of Senator Crowell, SSA 1 for SA 1 was withdrawn.

SA 1 was again taken up.

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

Senator Callahan offered SA 2, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 587, Page 1, Section 488.5050, Line 6, by inserting after the word “felony” the following: “, **except when the defendant pleads guilty or is found guilty of a class B felony, class A felony, or an unclassified felony, under chapter 195, RSMo, in which case, the surcharge shall be sixty dollars”.**

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

Senator Gross offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 587, Page 1, Section 488.5050, Line 14, by inserting immediately after all of said line, the following:

“4. If in the immediate previous fiscal year, the state’s general revenue did not increase by two percent or more, the state treasurer shall deposit such moneys or other gifts, grants, or moneys received on a monthly basis into the state general revenue fund. Otherwise the state treasurer shall deposit such moneys in accordance with the provisions of subsection 5 of this section.”; and further renumber the remaining subsections accordingly.

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

Senator Bartle moved that SCS for SB 587, as amended, be adopted, which motion prevailed.

On motion of Senator Bartle, SCS for SB 587, as amended, was declared perfected and ordered printed.

Senator Vogel moved that SB 748, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 748, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 748

An Act to repeal sections 104.403 and 104.404, RSMo, and to enact in lieu thereof two new sections relating to state employee retirement incentive, with an emergency clause.

Was taken up.

Senator Vogel moved that SCS for SB 748 be adopted, which motion prevailed.

On motion of Senator Vogel, SCS for SB 748 was declared perfected and ordered printed.

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 31, 2006

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

The following addendum should be made to the appointment of Chester L. White to the Personal Advisory Board, submitted on January 4, 2006. Line 2 should be amended as follows:

“Missouri 65109, as Executive Director of the Personnel Advisory Board”

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65101
January 31, 2006

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

The following addendum should be made to the appointment of Stephen C. Morrow to the Ombudsman Child Advocate of the Children’s Protection and Service, submitted on January 30, 2006. Line 2 and 3 should be amended as follows:

“Missouri 65613, as Office of Child Advocate for Children’s Protection and Services, for a term that began on December 7, 2004, and was filled by”

Respectfully submitted,
MATT BLUNT

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

The Senate observed a moment of silence in memory of Coretta Scott King.

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, teachers, parents and students from Jefferson School District R-7, Jefferson County.

Senator Nodler introduced to the Senate, Pat

Bartlett, Jenae Shoemaker and Paula Goade, members of Success by 6.

Senator Goodman introduced to the Senate, his wife, Laura and their son, Jack Elliott, Mt. Vernon; and Jack Elliott was made an honorary page.

Senator Coleman introduced to the Senate, Jim and Molly Kottmeyer and their daughter, Grace, Chesterfield; and Grace was made an honorary page.

Senator Dougherty introduced to the Senate, Amanda Elliott, Crystal Brown, Danielle Currie and Kristi Sobbe, St. Louis.

Senator Graham introduced to the Senate, fifth grade students from Ulysses S. Grant Elementary School, Columbia; and Mary Catherine Burns, Tanner Cooper, Teodora Siman and Anka Siraji were made honorary pages.

Senator Days introduced to the Senate, Christopher Blake, former State Representative Rich Chrismer and Jo Curran, St. Louis.

Senator Shields introduced to the Senate, former State Representatives Dan Hegeman, Cosby; and Dale Whiteside, Chillicothe.

Senator Klindt introduced to the Senate, constituents from Albany, Andrew County, Atchison County, Bethany, Brookfield, Buchanan County, Caldwell County, Cameron, Carroll County, Chillicothe, Livingston County, DeKalb County, Maysville, Grant City, Worth County, Holt County, Marceline, Maryville, Nodaway County, St. Joseph, Savannah, Sullivan County and Trenton attending the Great Northwest Day.

Senator Clemens introduced to the Senate, Jennifer Sampietro and Beverly Hall, Marshfield.

Senator Purgason introduced to the Senate, Cheryl Floyd, Licking.

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

SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 1, 2006

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 966-Green	SB 976-Gibbons
SB 967-Green	SB 977-Bartle
SB 968-Green	SB 978-Kennedy, et al
SB 969-Stouffer	SB 979-Griesheimer
SB 970-Gross	SB 980-Clemens
SB 971-Nodler and Scott	SB 981-Goodman, et al
SB 972-Kennedy	SB 982-Koster
SB 973-Shields	SB 983-Mayer, et al
SB 974-Shields	SJR 39-Ridgeway, et al
SB 975-Days	

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