

# Journal of the Senate

FIRST REGULAR SESSION

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FIFTY-FIFTH DAY—TUESDAY, APRIL 17, 2007

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I have chosen the way of faithfulness; I set your ordinances before me.” (Psalm 119:30)

Almighty God, You have given each of us eternal choices and these choices have eternal consequences, so we pray that we may daily choose wisely and faithfully and that what we do may continue to reflect those choices for Your way and teaching and it impacts in the bills we decide to approve. 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.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler

Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Shields announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

## RESOLUTIONS

Senator Crowell offered Senate Resolution No. 951, regarding Ruth Illers, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 952, regarding Coach Mark Hogan, Cape Girardeau, which was adopted.

Senator McKenna offered Senate Resolution No. 953, regarding Meramec Heights Elementary School, which was adopted.

Senator McKenna offered Senate Resolution No. 954, regarding Knights of Columbus Council #1230, Festus, which was adopted.

Senator Barnitz offered Senate Resolution No. 955, regarding Rosalie Spencer, Rolla, which was adopted.

Senator Stouffer offered Senate Resolution No. 956, regarding Samantha “Sammy” Halley, Atlanta, which was adopted.

Senator Stouffer offered Senate Resolution No. 957, regarding Taylor Wilhelm, Atlanta, which was adopted.

### SENATE BILLS FOR PERFECTION

Senator Scott moved that **SB 370**, **SB 375** and **SB 432**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 3** was again taken up.

Senator Griesheimer assumed the Chair.

Senator Rupp assumed the Chair.

**SA 3** failed of adoption by the following vote:

#### YEAS—Senators

Bray	Callahan	Coleman	Days
Graham	Justus	Shoemyer	Smith
Wilson—9			

#### NAYS—Senators

Barnitz	Bartle	Clemens	Crowell
Engler	Gibbons	Goodman	Griesheimer
Gross	Kennedy	Koster	Lager
McKenna	Nodler	Purgason	Ridgeway
Rupp	Scott	Shields	Stouffer
Vogel—21			

#### Absent—Senators

Champion	Green	Loudon	Mayer—4
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Absent with leave—Senators—None

Vacancies—None

Senator Justus offered **SA 4**, which was read:

#### SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for

Senate Bills Nos. 370, 375 and 432, Page 7, Section 197.200, Line 5, by inserting immediately after the word “childbirths,” the following:

**“any physician's office performing vasectomy procedures,”**.

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Justus offered **SA 5**, which was read:

#### SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bills Nos. 370, 375 and 432, Page 1, Section 170.015, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Scott, **SB 370**, **SB 375** and **SB 432**, with **SCS** and **SA 5** (pending), were placed on the Informal Calendar.

### REPORTS OF STANDING COMMITTEES

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 5**; **SS** for **SCS** for **SB 616**; and **SS** for **SCS** for **SB 496**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

### REFERRALS

President Pro Tem Gibbons referred **SCS** for **SB 611**; **SS** for **SCS** for **SB 496**; and **SS** for **SCS** for **SB 5** to the Committee on Governmental Accountability and Fiscal Oversight.

### HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time

and referred to the Committees indicated:

**HB 801**—Commerce, Energy and the Environment.

**HCS** for **HB 343**—Commerce, Energy and the Environment.

### 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 Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 327**, as amended. Representatives: Richard, Robb, Jetton, Kratky and Zweifel.

On motion of Senator Shields, the Senate recessed until 3:00 p.m.

### RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

Senator Shields announced that photographers from The Maneater were given permission to take pictures in the Senate Chamber today.

### RESOLUTIONS

Senator Crowell offered Senate Resolution No. 958, regarding Signature Packaging and Paper LLC, which was adopted.

Senator Ridgeway offered Senate Resolution No. 959, regarding Eric Wayne Watkins, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 960, regarding Joshua Forrest Massie, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 961, regarding Zachary Matthew Doolan, Smithville, which was adopted.

Senator Lager offered Senate Resolution

No. 962, regarding Patrick “Pat” O’Riley, Maryville, which was adopted.

Senator Mayer offered Senate Resolution No. 963, regarding the One Hundredth Birthday of Alberta Schnakenberg Webb, Dexter, which was adopted.

### SENATE BILLS FOR PERFECTION

Senator Purgason moved that **SB 428**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 428**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 428

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to participation in an animal identification system.

Was taken up.

Senator Purgason moved that **SCS** for **SB 428** be adopted.

Senator Purgason offered **SS** for **SCS** for **SB 428**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 428

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to participation in an animal identification system.

Senator Purgason moved that **SS** for **SCS** for **SB 428** be adopted.

At the request of Senator Purgason, **SB 428**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Loudon moved that **SS** for **SB 303** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Loudon, **SS** for **SB 303** was declared perfected and ordered printed.

Senator Purgason moved that **SB 428**, with

SCS and SS for SCS (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Rupp assumed the Chair.

SS for SCS for SB 428 was again taken up.

Senator Stouffer offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 428, Page 2, Section 261.300, Lines 18-28 of said page, by striking all of said lines and inserting in lieu thereof the following: **“participate in a mandatory national animal identification system or any other similar mandatory source verification program beyond the existent Missouri cattle specific source verification at the state level without the approval of the general assembly.**

**(3) The prohibition in this section also applies to the components of a mandatory source verification program, including premises registration and databases, animal identification and databases, and animal movement tracing and databases beyond the minimum necessary for the Missouri cattle specific source verification program.**

**(4) If the federal government requires mandatory participation in a national animal identification system, all cooperative agreements between the federal”; and**

Further amend said bill and section, page 3, line 2, of said page, by striking the following: “effective date” and inserting in lieu thereof the following: **“prohibition”**; and further amend line 15, of said page, by inserting after “expunged” the following: **“upon such citizen's request”**; and

Further amend said bill and section, page 4, lines 4-28, by striking all of said lines and inserting in lieu thereof the following: **“the possible uses of information collected under the program, every entity or person to whom such information may**

**be disclosed, and procedures for withdrawing from the program;**

**(b) The private program shall be considered a commercial term subject to laws restricting unfair competition; and**

**(c) A private source verification program identification device or marking shall not supplant, supersede, or make unreadable this state's or any local entity's brand or mark on any animal. A source verification program's rules shall not supersede this state's brand or marking system rules as a matter of law.**

**5. The department of agriculture shall not require participation in a Missouri specific source verification program for cattle or for any other species of livestock.”; and**

Further amend said bill and section, page 5, lines 1-16, of said page, by striking all of said lines.

Senator Stouffer moved that the above amendment be adopted, which motion failed.

Senator Purgason moved that SS for SCS for SB 428 be adopted, which motion prevailed.

On motion of Senator Purgason, SS for SCS for SB 428 was declared perfected and ordered printed.

Senator Scott moved that SB 370, SB 375 and SB 432, with SCS and SA 5 (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 5 was again taken up.

Senator Shields announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

Senator Justus requested a roll call vote be taken on the adoption of SA 5 and was joined in her request by Senators Bray, Graham, Days and Smith.

At the request of Senator Scott, SB 370, SB 375 and SB 432, with SCS and SA 5 (pending),

were placed on the Informal Calendar.

**THIRD READING OF SENATE BILLS**

**SS** for **SB 31**, introduced by Senator Nodler, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 31**

An Act to repeal sections 327.011, 327.111, 327.181, 327.201, 327.291, 327.441, 327.633, and 621.045, RSMo, and to enact in lieu thereof six new sections relating to architects, professional engineers, land surveyors, and landscape architects, with penalty provisions.

Was taken up.

On motion of Senator Nodler, **SS** for **SB 31** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nodler, title to the bill was agreed to.

Senator Nodler moved that the vote by which the bill passed be reconsidered.

Senator Shields moved that motion lay on the

table, which motion prevailed.

**SCS** for **SB 86**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 86**

An Act to repeal section 135.327, RSMo, and to enact in lieu thereof one new section relating to the children in crisis tax credit program, with an emergency clause.

Was taken up by Senator Champion.

On motion of Senator Champion, **SCS** for **SB 86** was read the 3rd time and passed by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer

Vogel Wilson—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Champion, title to the bill was agreed to.

Senator Champion moved that the vote by which the bill passed be reconsidered.

Senator Shields moved that motion lay on the table, which motion prevailed.

#### SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 358** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Bartle assumed the Chair.

Senator Engler offered **SS** for **SB 358**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 358

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the release of a lienholder's rights upon the satisfaction of a lien or encumbrance, with penalty provisions.

Senator Engler moved that **SS** for **SB 358** be adopted, which motion prevailed.

Senator Rupp assumed the Chair.

On motion of Senator Engler, **SS** for **SB 358** was declared perfected and ordered printed.

Senator Days moved that **SB 391**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 391**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 391

An Act to amend chapter 644, RSMo, by adding thereto three new sections relating to authorization of water-related bonds.

Was taken up.

Senator Days moved that **SCS** for **SB 391** be adopted, which motion prevailed.

On motion of Senator Days, **SCS** for **SB 391** was declared perfected and ordered printed.

#### REPORTS OF STANDING COMMITTEES

Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 303** and **SS** for **SCS** for **SB 428**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

#### SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 155**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 155**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 155

An Act to amend chapter 319, RSMo, by adding thereto seventeen new sections relating to blasting and excavation, with penalty provisions.

Was taken up.

Senator Engler moved that **SCS** for **SB 155** be adopted.

Senator Engler offered **SS** for **SCS** for **SB 155**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 155

An Act to amend chapter 319, RSMo, by adding thereto seventeen new sections relating to blasting and excavation, with penalty provisions.

Senator Engler moved that **SS** for **SCS** for **SB 155** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 155, Page 39, Section 319.345, Line 21 of said page, by inserting immediately after said line the following:

**“Section 1. At the end of each biennium and after all statutorily or constitutionally required transfer of funds have been made, the state treasurer shall transfer the balance in the fund, except for gifts, donations, bequests, or money received from a federal source, created in section 319.330 in excess of two hundred percent of the previous fiscal year's expenditures into the state general revenue fund.”;**

Further amend the title and enacting clause accordingly.

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

Senator Bartle offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 155, Page 34, Section 319.339, Line 2, by inserting immediately after said line the following:

**“319.400. 1. In any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and in areas where residential properties, schools, or churches are located, the maximum vibration at**

**the property line of such properties shall be 0.20 inches per second or five millimeters per second peak particle velocity. To maintain a reasonable degree of compliance that all vibrations will be below this value, a minimum set back from property lines of one thousand feet shall be maintained so that unknown variables do not significantly alter the vibration level at the property line at areas not monitored. For aboveground blasting, a maximum of one hundred fifteen decibels linear peak air blast shall be allowed.**

**2. Monitoring of vibration levels and air blast, including control of seismograph and positioning of such, shall be conducted by an independent seismologist, and the cost of the monitoring shall be paid by the company or entity conducting the blasting. The number of seismographs shall be determined by the seismologist but shall not be fewer than one per one thousand feet of the applicable property line. Weekly reports with no more than a weeks delay of the blast levels shall be given to local government and any neighborhood organizations that have been created to deal with the blasting issue. Any neighborhood organization shall have significant input into the selection of the independent seismologist.**

**3. For violations of this section, single fines shall be imposed. As used in this section, “single fine” means the gross value of half of a single day blast production based on the average production within the past thirty days. Within a one-hundred-twenty-day period, fines for violating this section shall be as follows:**

**(1) A first violation for vibrations between 0.20 inches per second to 0.30 inches per second shall result in a single fine. A violation for vibrations of 0.30 inches per second to 0.40 inches per second shall result in a double single fine. A violation for vibrations above 0.40 inches per second shall result in a four times single fine and a suspension of blasting for one hundred**

twenty days.

(2) A second violation for vibrations between 0.20 inches per second to 0.30 inches per second shall result in a double single fine. A second violation for vibrations of 0.30 inches per second to 0.40 inches per second shall result in a four times single fine and a suspension of blasting for one hundred twenty days.

(3) A third violation shall result in a four times single fine and a suspension of blasting for one hundred twenty days.

4. A portion of the fines, as determined by local government, shall go to local school districts or neighborhood organizations to provide public benefits, including but not limited to scholarships and community improvements.

5. The provisions of this section shall become effective on August 28, 2008. Any payments to entities prior to such date shall remain in effect and are not refundable.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Engler, **SB 155**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

Senator Coleman moved that **SB 75**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 75**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 75

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to combat veterans.

Was taken up.

Senator Coleman moved that **SCS** for **SB 75**

be adopted, which motion prevailed.

On motion of Senator Coleman, **SCS** for **SB 75** was declared perfected and ordered printed.

Senator Barnitz moved that **SB 368**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 368**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 368

An Act to repeal sections 28.160, 41.950, 347.179, 351.047, 351.120, 351.125, 351.127, 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 355.821, 355.856, and 356.211, RSMo, and to enact in lieu thereof thirty new sections relating to corporate filings with the secretary of state.

Was taken up.

Senator Barnitz moved that **SCS** for **SB 368** be adopted, which motion prevailed.

On motion of Senator Barnitz, **SCS** for **SB 368** was declared perfected and ordered printed.

Senator Kennedy moved that **SB 654** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kennedy offered **SS** for **SB 654**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 654

An Act to repeal sections 84.120 and 84.170, RSMo, and to enact in lieu thereof two new sections relating to the St. Louis board of police commissioners.

Senator Kennedy moved that **SS** for **SB 654** be adopted.

Senator Loudon offered **SA 1**:



SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 654, Page 4, Section 84.170, Line 26, by inserting immediately after said line the following:

“590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower than four hundred seventy and no higher than six hundred, with the following exceptions:

(1) Up to one thousand hours may be mandated for any class of license required for commission by a state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect;

(5) Persons [commissioned and] serving as a reserve [peace] officer **on August 27, 2001**, within a county of the first classification **or a county with a charter form of government and with more than one million inhabitants** on August [28] **27**, 2001, having previously completed a minimum of one hundred sixty hours of training, shall be granted a license necessary to function as a reserve peace officer **only within such county. For the purposes of this subdivision, the term “reserve officer” shall mean any person who serves in a less than full-time law enforcement capacity, with or without pay and who, without certification, has no power of arrest and who, without certification, must be under the direct**

**and immediate accompaniment of a certified peace officer of the same agency at all times while on duty; and**

(6) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health and senior services, the division of family services, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence.”; and

Further amend the title and enacting clause accordingly.

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

Senator Kennedy moved that **SS** for **SB 654**, as amended, be adopted, which motion prevailed.

On motion of Senator Kennedy, **SS** for **SB 654**, as amended, was declared perfected and ordered printed.

### 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 **HCS** for **HB 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### MESSAGES FROM THE HOUSE

The following messages were 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 **HCS** for **HB 827**, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to educational needs of children in licensed residential care facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 159**, entitled:

An Act to repeal sections 236.400, 236.410, 236.415, 236.420, 236.425, 236.435, 236.440, 236.445, 236.460, 236.465, and 236.500, RSMo, and to enact in lieu thereof eleven new sections relating to dam and reservoir safety, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 952** and **674**, entitled:

An Act to repeal sections 198.073, 198.076, 198.079, and 198.086, RSMo, and to enact in lieu thereof nine new sections relating to fire protection in long-term care facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### 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

April 17, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Curtis D. Mather, D.O., Republican, 3041 National Avenue, Lebanon, Laclede County, Missouri 65536, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2010, and until his successor is duly appointed and qualified; vice, Michael Craighead, resigned.

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101

April 17, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF  
THE STATE OF MISSOURI:

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

Hugh L. Mills, 11300 North Robinhood Lane, Kansas City,  
Platte County, Missouri 64154, as a member of the Amusement  
Ride Safety Board, for a term ending April 17, 2010, and until his  
successor is duly appointed and qualified; vice, reappointed to a full  
term.

Respectfully submitted,  
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101

April 17, 2007

TO THE SENATE OF THE 94th GENERAL ASSEMBLY OF  
THE STATE OF MISSOURI:

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

Mark J. Garnett, Democrat, 10363 County Road 9510, West  
Plains, Howell County, Missouri 65775, as a member of the Air  
Conservation Commission, for a term ending October 13, 2010, and  
until his successor is duly appointed and qualified; vice, reappointed  
to a full term.

Respectfully submitted,  
MATT BLUNT

**COMMUNICATIONS**

Senator Ridgeway submitted the following:

April 17, 2007

Terry Spieler  
Secretary of Senate  
State Capital Room 325  
Jefferson City, MO 65101

Dear Secretary Spieler:

Pursuant to Rule 45, please remove SCS for HB 125 from the  
consent calendar and return it to the Senate Committee on  
Economic Development, Tourism and Local Government.

Sincerely,  
/s/ Luann Ridgeway  
Luann Ridgeway  
State Senator

**INTRODUCTIONS OF GUESTS**

Senator Stouffer introduced to the Senate,  
Benjy Heins, Higginsville.

Senator Wilson introduced to the Senate,  
Betty Crow, Blanche Williams, Myra Taylor and  
members of Mutual Musicians Union, Kansas City.

Senator Wilson introduced to the Senate, the  
Physician of the Day, Dr. Charles W. Van Way,  
III, M.D., Kansas City.

Senator Griesheimer introduced to the Senate,  
Daniel Tappmeyer, Warrenton; and Kenneth  
Doering, Wildwood.

Senator Smith introduced to the Senate, fourth  
and fifth grade students from St. Margaret of  
Scotland School, St. Louis.

The President introduced to the Senate,  
representatives of University of Missouri  
Undergraduate Research Day.

Senator Green introduced to the Senate, Ms.  
Susan Vinson, Ms. Theresa Kremer, parents and  
seventh grade students from St. Angel Merici  
School, Florissant; and Akofa Agbokou,  
Christopher Akers, Michael Anderson, Christian  
Brown, Joseph Caine, Amirah El-Hasan, Megan  
Green, Caitlin Heine, Allyson Hinrichs, Grace  
Krause, Michael Kremer, Aaron Krings, Scott  
Kruep, Jordan Lampe, James Lawless, Cassie  
McFadden, Kyle McLaughlin, Rebecca Miller,  
Eric Modde, Lauren Neiner, Nicholas Nemerguth,  
KatieAnn O'Dell, Samuel Pilla, Kathryn Podorski,  
David Reddan, Mary Elizabeth Rife, Danielle  
Rollins, Regina Rolwes, Jacob Ruchalski, Alison  
Sanfilippo, Ashley Vanrenhold, Jordan Verbanza,  
Connor Walsh, Meaghan Wesolowski and Thomas  
Woltering were made honorary pages.

Senator Gibbons introduced to the Senate,  
ninety fifth grade students from Barretts  
Elementary School, Manchester; and Trent Davis,  
Ali Haller, Tim Dykas and Meaghan O'Toole were  
made honorary pages.

Senator Gibbons introduced to the Senate,

Josh Travis, St. Louis.

Senator Justus introduced to the Senate, Citizen Lobbyists for Prevention First, Kansas City.

Senator Smith introduced to the Senate, Raven Rose, Robert Morrow, Cheyenne Lane, Steven Pace, Charles King, Kevin Fondoren, Marinda Feagin, Donnella Shelton, Angela Samuel and Devonte Warner, students from Langston Middle School, St. Louis.

Senator Kennedy introduced to the Senate, students from St. Margaret Mary Alacoque.

Senator Smith introduced to the Senate, Vanessa Carroll, Pastor Teresa Mithan, Cinnomin Brothers, Jason Federow, Dylan Blackston, Pamela Sumners, Jane McAdams, Lisa Kohn and Lucy Smith from Roosevelt High School, St. Louis.

Senator Graham introduced to the Senate, Coach Brian Smith, Max Askren, Chris McCormick; and wrestlers Matt Pell, Raymond

Jordan, Mark Ellis, Josh Wagner, Ben Askren and Tyler McCormick, University of Missouri-Columbia Wrestling Team.

Senator Callahan introduced to the Senate, Jackson County Executive Michael Sanders, Independence.

Senator Ridgeway introduced to the Senate, Patrick Erving and seven students from Eagle Heights Christian School, Kansas City.

Senator Lager introduced to the Senate, students from Worth County FBLA.

Senator Griesheimer introduced to the Senate, Jeff Lock, Sullivan; and Durwood Tenny, Wildwood.

Senator Green introduced to the Senate, former State Representative Charles Quincy Troupe, St. Louis.

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

#### SENATE CALENDAR

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FIFTY-SIXTH DAY—WEDNESDAY, APRIL 18, 2007

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#### FORMAL CALENDAR

#### HOUSE BILLS ON SECOND READING

HCS for HB 827  
HCS for HB 159

HCS for HBs 952 & 674

#### THIRD READING OF SENATE BILLS

SS for SB 40-Ridgeway (In Fiscal Oversight)  
SCS for SB 611-Goodman (In Fiscal Oversight)  
SS for SCS for SB 5-Loudon (In Fiscal Oversight)  
SS for SCS for SB 616-McKenna

SS for SCS for SB 496-Koster  
(In Fiscal Oversight)  
SS for SB 303-Loudon  
SS for SCS for SB 428-Purgason

SENATE BILLS FOR PERFECTION

- |  |  |
|--|--|
| 1. SB 644-Griesheimer                        | 7. SB 699-Lager, with SCS                      |
| 2. SBs 372 & 366-Justus and Koster, with SCS | 8. SB 11-Coleman, with SCS                     |
| 3. SB 388-Mayer, with SCS                    | 9. SB 536-Lager, with SCS                      |
| 4. SB 225-Stouffer, with SCS                 | 10. SB 552-Bartle                              |
| 5. SB 571-Mayer, with SCS                    | 11. SB 484-Stouffer, with SCS                  |
| 6. SB 652-Coleman and Gibbons, with SCS      | 12. SBs 348, 626 & 461-Koster, et al, with SCS |

HOUSE BILLS ON THIRD READING

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|---------------------------------------|--|
| 1. HCS for HB 221 (Loudon)            | 8. HCS for HB 620, with SCS (Ridgeway)                       |
| 2. HB 454-Jetton, et al (Mayer)       | 9. HCS for HB 39, with SCS (Koster)<br>(In Fiscal Oversight) |
| 3. HCS for HJR 1, with SCS (Rupp)     | 10. HCS for HB 774 (Crowell)                                 |
| 4. HCS for HB 346 (Clemens)           | 11. HB 269-Nolte, et al (Ridgeway)                           |
| 5. HB 155-Dusenberg, et al (Ridgeway) | 12. HCS for HB 16, with SCS (Gross)                          |
| 6. HB 69-Day, with SCS (Barnitz)      |  |
| 7. HCS for HB 469, with SCS (Crowell) |  |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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|--|--|
| SB 2-Gibbons, with SCS                             | SB 250-Ridgeway and Vogel  |
| SB 17-Shields, with SCS                            | SB 252-Ridgeway and McKenna  |
| SB 20-Griesheimer, with SCS                        | SB 254-Nodler, et al, with SCS                                       |
| SB 27-Bartle and Koster                            | SBs 260 & 71-Koster, et al, with SCS                                 |
| SB 53-Koster and Engler, with SCS                  | SB 274-Shields   |
| SB 101-Mayer                                       | SB 282-Griesheimer, with SCS & SS for SCS (pending)                  |
| SB 131-Rupp  | SB 287-Crowell and Vogel, with SS (pending)                          |
| SB 153-Engler, et al, with SCS                     | SB 292-Mayer   |
| SB 155-Engler, with SCS & SS for SCS (pending)     | SB 297-Loudon, with SCS  |
| SB 160-Rupp, with SCS                              | SB 300-Bartle  |
| SB 168-Mayer and Crowell, with SCS                 | SB 341-Goodman, with SCS   |
| SB 169-Rupp, with SCS, SS for SCS & SA 3 (pending) | SB 363-Bartle  |
| SB 205-Stouffer and Gibbons, with SCS              | SB 364-Koster, with SCS, SS for SCS, SA 1 & SSA 1 for SA 1 (pending) |
| SB 212-Goodman                                     | SBs 370, 375 & 432-Scott and Koster, with SCS & SA 5 (pending)       |
| SB 213-McKenna                                     |  |
| SB 242-Nodler, with SCS                            |  |

SB 385-Gibbons, with SCS	SB 534-Nodler
SB 389-Nodler, et al, with SCS & SS#4 for SCS (pending)	SB 537-Lager
SB 400-Crowell, et al	SB 542-Scott, with SCS
SB 430-Shields, et al, with SCS, SS#2 for SCS, SA 4 & SSA 3 for SA 4 (pending)	SBs 555 & 38-Gibbons, with SCS
SB 444-Goodman	SB 563-Lager, with SCS
SB 453-Scott, with SCS	SB 570-Clemens
SB 458-Gibbons	SB 572-Vogel
SB 476-Crowell	SB 586-Crowell, with SCS
SB 480-Ridgeway, et al, with SCS	SB 592-Scott, with SCS
SB 492-Crowell	SB 599-Engler, with SCS
SB 499-Engler and Clemens, with SCS	SB 627-Ridgeway
SB 511-Scott, with SCS	SB 635-Loudon, with SCS
SB 521-Lager, et al, with SCS	SBs 660, 553, 557, 167, 258, 114 & 378-Mayer, with SCS
SB 523-Scott, with SCS	SB 664-Scott, with SCS
SB 531-Gibbons, with SCS	SB 668-Loudon, with SCS
	SB 698-Ridgeway, et al, with SCS

#### HOUSE BILLS ON THIRD READING

HJR 7-Nieves, et al, with SCS (Engler)

#### CONSENT CALENDAR

Senate Bills

Reported 2/8

SB 211-Goodman

Reported 2/15

SB 8-Kennedy

Reported 3/8

SB 185-Green

House Bills

Reported 4/5

HB 62-Ruestman, et al (Nodler)  
HCS for HB 405 (Scott)

HB 754-Kelly, et al (Vogel)  
HB 576-Cooper (120), et al (Clemens)

HB 264-Cunningham (86) (Rupp)

HB 732-Parson, et al (Scott)

Reported 4/12

HCS for HB 780, with SCS (Scott)  
HB 554-Cooper (155), et al (Engler)

HCS for HB 555 (Engler)

HB 268-Moore and Bivins

HCS for HB 459 (Griesheimer)

HB 467-Cox (Scott)

HCS for HB 616 (Goodman)

HB 665-Ervin, et al (Ridgeway)

HB 205-Marsh, et al (Griesheimer)

HCS for HB 795, with SCS (Ridgeway)

HB 684-Bruns, with SCS

HB 740-Pearce, with SCS (Koster)

HCS for HB 272 (Goodman)

HB 344-Munzlinger, et al (Clemens)

HB 351-Wood, et al (Goodman)

HB 428-Cox (Scott)

HB 680-May, et al (Clemens)

HB 75-Sutherland (Mayer)

HB 265-Cunningham (86) (Rupp)

HB 267-Jones (117) and Cunningham (86)  
(Rupp)

HB 56-Sater, et al (Goodman)

HB 933-Grill, et al (Shields)

HCS for HB 796 (Purgason)

HB 574-St. Onge

BILLS IN CONFERENCE AND BILLS  
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 327, with SS for SCS,  
as amended (Griesheimer)

RESOLUTIONS

Reported from Committee

HCR 15-Threlkeld, et al, with SCS (Shields)  
SCR 10-Koster and Shields

HCR 25-Yates, et al (Bartle)

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