

Journal of the Senate

SECOND REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 31, 2008

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For whoever finds me finds life and obtains favor from the Lord;” (Proverbs 8:35)

Heavenly Father, we come to an end of our week here and now return to those You have given us. In every interaction we have and every word we hear and read let us find wisdom in living life as You require. Let that wisdom lead us to loving actions and deeds and may all we do find favor in Your sight. 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

Barnitz	Bartle	Bray	Callahan	Champion	Coleman	Crowell	Days
Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Koster	Lager	Mayer	Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith	Stouffer	Vogel	Wilson—31	

Absent—Senators—None

Absent with leave—Senators

Clemens Loudon McKenna—3

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Crowell offered Senate Resolution No. 1647, regarding James A. Rust, Cape Girardeau, which was adopted.

On behalf of Senator Clemens, Senator Shields offered Senate Resolution No. 1648, regarding Kaitlyn Treece, Ozark, which was adopted.

Senator Champion offered Senate Resolution No. 1649, regarding Jean Twitty, Springfield, which was adopted.

Senator Graham offered Senate Resolution No. 1650, regarding Penelope L. Fadler, Hallsville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1651, regarding Taran Ray Winnie, Kearney, which was adopted.

Senator Kennedy offered Senate Resolution No. 1652, regarding Katherine K. “Katie” Wesselschmidt, Saint Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 1653, regarding Frankie Muse Freeman, Esquire, St. Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 1654, regarding MicKayla Nilges, Lawson, which was adopted.

Senator Stouffer offered Senate Resolution No. 1655, regarding Aidyn Mary O’Daniel, Carbondale, Illinois, which was adopted.

Senator Stouffer offered Senate Resolution No. 1656, regarding the Class 2 State Champion Lawson High School Football Cardinals, which was adopted.

INTRODUCTION OF BILLS

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

SB 1059—By Engler.

An Act to repeal sections 339.100, 339.532, 339.549, 443.809, 443.810, 443.891, and 621.045, RSMo, and to enact in lieu thereof twelve new sections relating to mortgage fraud, with penalty provisions.

SB 1060—By Engler.

An Act to repeal sections 168.104, 168.114, 168.116, 168.118, 168.120, and 168.221, RSMo, and to enact in lieu thereof six new sections relating to public school teachers.

SB 1061—By Barnitz.

An Act to amend chapter 58, RSMo, by adding thereto one new section relating to the registration of coroners and their assistants.

SB 1062—By Barnitz, Shoemyer, Clemens, McKenna, Smith, Coleman, Graham, Engler, Bray, Justus, Green, Days, Griesheimer, Kennedy, Koster, Purgason, Gibbons, Goodman, Nodler and Callahan.

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.

SB 1063—By Koster.

An Act to repeal sections 57.280, 195.202, 195.211, 195.417, 488.435, and 568.045, RSMo, and to enact in lieu thereof sixteen new sections relating to the Missouri methamphetamine project, with penalty provisions and an effective date for certain sections.

SB 1064—By Dempsey.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

SB 1065—By Bartle.

An Act to repeal sections 306.125 and 306.903, RSMo, and to enact in lieu thereof two new sections relating to watercraft safety, with penalty provisions.

SB 1066—By Ridgeway, Shields, Callahan, Mayer and Smith.

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating solely to teacher certification.

SB 1067—By Ridgeway, Clemens, Scott, Shoemyer, Purgason, Crowell, Griesheimer, Callahan, Barnitz, Mayer, Engler and Vogel.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to protective headgear for operation of motorcycles or motortricycles, with penalty provisions.

SB 1068—By Mayer.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the pharmacy rebates fund.

SB 1069—By Coleman.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to an income tax exemption for certain federal tax rebates, with an emergency clause.

SB 1070—By Kennedy and Graham.

An Act to repeal section 84.120, RSMo, and to enact in lieu thereof one new section relating to physical assessment of certain police officers.

SB 1071—By Smith.

An Act to repeal section 130.046, RSMo, and to enact in lieu thereof nine new sections relating to public financing of elections, with penalty provisions.

REPORTS OF STANDING COMMITTEES

Senator Gibbons, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that

the Senate do give its advice and consent to the following:

James M. Lakenan, III, and James D. Palmer, as members of the Seismic Safety Commission;

Also,

Samuel M. Hunter and Ben A. “Todd” Parnell, Democrats, as members of the Clean Water Commission;

Also,

Stephen C. Bradford, Heidi B. Miller and Shawn P. Griffin, as members of the MO HealthNet Oversight Committee;

Also,

Karltan B. Nash, Arthur R. Higgins, Curtis P. Wall, John A. Buchanan, Kenneth J. Schmidt, Larry L. Butler and Glen R. Kolkmeier, as members of the Missouri Propane Gas Commission;

Also,

David L. Vlach, as a member of the Mental Health Commission;

Also,

Christopher S. Stigall, as a member of the Amber Alert System Oversight Committee;

Also,

Lydia H. McEvoy, Julie A. Robinson, Kathleen Y. Hampton and Richard B. Hicks, as members of the Child Abuse and Neglect Review Board;

Also,

Joseph V. Knodell, Republican, as a member of the Board of Probation and Parole;

Also,

Mary Anne Brown, Republican, as a member of the State Board of Senior Services;

Also,

John P. Orr, Democrat, as a member of the Elevator Safety Board;

Also,

Doris J. Carter, as a member of the Coordinating Board for Higher Education;

Also,

Mark R. Edwards and Jennifer M. Charleston, as members of the Peace Officer Standards and Training Commission;

Also,

Robert J. Weber, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Richard A. Walter, Independent, as a member of the Missouri Southern State University Board of Governors;

Also,

Anton H. Luetkemeyer, as student representative of the University of Missouri Board of Curators;

Also,

Omar D. Davis, as the Director of the Department of Revenue;

Also,

Richard “Rick” Sullivan, Jr., as Chief Executive Officer of the Transitional School District of Saint Louis City;

Also,

John C. Hilton, as a member of the Truman State University Board of Governors;

Also,

James R. Asahl, as a member of the Advisory Committee for 911 Service Oversight.

Senator Gibbons requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Senator Engler assumed the Chair.

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of James M. Lakenan, III, as a member of the Seismic Safety Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Crowell moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Samuel M. Hunter, Democrat, as a member of the Clean Water Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Crowell moved that the Committee Report be adopted and the Senate do give its advice and consent to the above appointment.

At the request of Senator Crowell, the above motion was withdrawn.

Senator Gibbons requested unanimous consent of the Senate to have the balance of the committee reports returned to the Committee on Gubernatorial Appointments, which request was granted.

Senator Ridgeway assumed the Chair.

SECOND READING OF SENATE BILLS

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

SB 1039—Economic Development, Tourism and Local Government.

SB 1040—Agriculture, Conservation, Parks and Natural Resources.

- SB 1041**—Commerce, Energy and the Environment.
SB 1042—Pensions, Veterans’ Affairs and General Laws.
SB 1043—Health and Mental Health.
SB 1044—Economic Development, Tourism and Local Government.
SB 1046—Pensions, Veterans’ Affairs and General Laws.
SB 1047—Education.
SB 1048—Commerce, Energy and the Environment.
SB 1049—Ways and Means.
SB 1050—Judiciary and Civil and Criminal Jurisprudence.
SB 1051—Seniors, Families and Public Health.
SB 1052—Ways and Means.
SB 1053—Judiciary and Civil and Criminal Jurisprudence.
SB 1054—Judiciary and Civil and Criminal Jurisprudence.
SB 1055—Small Business, Insurance and Industrial Relations.
SB 1056—Financial and Governmental Organizations and Elections.
SB 1057—Transportation.
SB 1058—Judiciary and Civil and Criminal Jurisprudence.
SJR 45—Agriculture, Conservation, Parks and Natural Resources.

COMMUNICATIONS

Senator Shields submitted the following:

January 31, 2008
Ms. Terry Spieler
Secretary of the Senate
State Capitol, Office 325
Jefferson City, MO 65101

Dear Ms. Spieler:

The Rules, Joint Rules, Resolutions and Ethics Committee has previously approved the 94th General Assembly’s Senate Majority Caucus.

Please add the following member to the caucus:

- Senator Tom Dempsey

Sincerely,
/s/ Charlie
Charlie Shields

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, February 4, 2008.

SENATE CALENDAR

FOURTEENTH DAY—MONDAY, FEBRUARY 4, 2008

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1059-Engler
SB 1060-Engler
SB 1061-Barnitz
SB 1062-Barnitz, et al
SB 1063-Koster
SB 1064-Dempsey
SB 1065-Bartle

SB 1066-Ridgeway, et al
SB 1067-Ridgeway, et al
SB 1068-Mayer
SB 1069-Coleman
SB 1070-Kennedy and Graham
SB 1071-Smith

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