

# Journal of the Senate

FIRST REGULAR SESSION

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TWENTY-NINTH DAY—THURSDAY, FEBRUARY 24, 2005

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The Senate met pursuant to adjournment.

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

“Indeed, you are my lamp, O Lord, the Lord lightens my darkness.” (2 Samuel 22:29)

You are the God of light and life and Your brilliance shines forth lightening the path we are to walk this day and every day. Keep us ever close to You that we may see and find our way through these times and be a witness of Your light in our office and in our homes. And Lord, watch over “our going out and coming in.” 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.

Senator Shields announced that 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

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler

Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Wheeler offered Senate Resolution No. 432, regarding Cameron Michael “Cam” Korte, Kansas City, which was adopted.

Senator Stouffer offered Senate Resolution No. 433, regarding the birth of Seth Michael Archer, Blue Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 434, regarding the birth of Deklan Steele Himmelberg, which was adopted.

Senator Stouffer offered Senate Resolution No. 435, regarding the birth of Carter Hammond Widhalm, West Plains, which was adopted.

Senator Stouffer offered Senate Resolution No. 436, regarding the birth of Lori Lynn Eckhoff, Concordia, which was adopted.

Senator Stouffer offered Senate Resolution

No. 437, regarding the birth of Brooke Madison McElwee, Braymer, which was adopted.

Senator Stouffer offered Senate Resolution No. 438, regarding the birth of Delana Brooke Vogelsmeier, Sweet Springs, which was adopted.

Senator Stouffer offered Senate Resolution No. 439, regarding the birth of Brady Charles Simpson, Lone Jack, which was adopted.

Senator Stouffer offered Senate Resolution No. 440, regarding the birth of Joseph Michael Trump, Kansas City, which was adopted.

Senator Stouffer offered Senate Resolution No. 441, regarding Mr. and Mrs. Kevin Boock, Marshall, which was adopted.

Senator Nodler offered Senate Resolution No. 442, regarding the memory of Army Private First Class Jesse A. Givens, Springfield, which was adopted.

Senator Gross offered Senate Resolution No. 443, regarding Daniel M. Butler, St. Charles, which was adopted.

Senator Vogel offered Senate Resolution No. 444, regarding the 2004-2005 Tipton High School Marketing Program, which was adopted.

Senator Koster offered Senate Resolution No. 445, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Floyd Hursh, Warrensburg, which was adopted.

Senator Shields offered Senate Resolution No. 446, regarding Angela Kilpatrick, Kansas City, which was adopted.

Senator Shields offered Senate Resolution No. 447, regarding Kathleen Knuth, Kansas City, which was adopted.

Senator Engler offered the following resolution:

SENATE RESOLUTION NO. 448

WHEREAS, the state of Missouri; the residents of its cities, towns, and communities; and electric power providers all have a shared interest in improving air quality and assuring compliance with our nation's air quality goals; and

WHEREAS, electric power providers have significantly

reduced air emissions, but additional reductions will help address these air quality goals; and

WHEREAS, the Clean Air Act provides for continued reductions in emissions of sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>) and mercury from electric power facilities with numerous regulatory decisions mandated over the next two decades that will have unpredictable outcomes; and

WHEREAS, implementation of the Clean Air Act's multiple, overlapping requirements could be streamlined to facilitate greater, more efficient, and more certain emission reductions that would reduce litigation that often causes significant delays in achieving air quality goals; and

WHEREAS, a new federal emission reduction program could help to resolve regional and national air quality challenges, interstate environmental conflicts, and reduce inconsistencies between state programs; and

WHEREAS, the implications of any emission reduction programs on consumer energy prices and electric power reliability must be factored into policy decisions; and

WHEREAS, the quality of life in Missouri depends on a reliable supply of electric power; and

WHEREAS, Missouri's economic vitality is linked to the availability of affordable supplies of electric power; and

WHEREAS, the amount of time necessary for emission reduction-related litigation often reduces the amount of time available for the installation of emission-reduction technologies and increases of the costs of compliance, which eventually are passed on to consumers of electric power; and

WHEREAS, an opportunity (in the form of the Clear Skies Act) exists to adopt a federal, integrated strategy that establishes aggressive, but reasonable, time frames and reduction targets for the nation's three highest priority electric power plant emissions – nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and mercury; and

WHEREAS, such a multi-emission strategy will minimize interstate regulatory compliance conflicts, lessen the need for costly, time-consuming litigation, allow for the design and deployment of more cost-effective technologies, and continue the nation's progress for reducing potentially harmful emissions in as cost-effective manner as possible without negatively impacting the reliability of the nation's electric power supplies:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, urge the United States Congress to adopt forthwith multi-emission legislation that will provide reduction targets for (NO<sub>x</sub>), (SO<sub>2</sub>), and mercury at reasonable and appropriate levels and over periods of time that will provide certainty, stability, and flexibility to electric power generators in meeting their air quality targets while maintaining electric power reliability, availability, and

affordability; and

BE IT FURTHER RESOLVED that reductions under such a program should be achieved using an emissions cap-and-trade approach patterned after the successful Clean Air Act acid rain program; and

BE IT FURTHER RESOLVED that the ongoing development of combined heat and power units be encouraged by exempting energy efficient and low-emitting units from multi-emission legislation and allowing them to opt in to the program; and

BE IT FURTHER RESOLVED that such a program should streamline Clean Air Act provisions given that (SO<sub>2</sub>), (NO<sub>x</sub>), and mercury emissions caps will substantially reduce the amount of emissions from electric power facilities; and

BE IT FURTHER RESOLVED that to the maximum extent possible, enforcement of such a program should be delegated to the states; and

BE IT FURTHER RESOLVED that we support the Clear Skies Act provided that the final version does not contain a historical cap on carbon dioxide emissions; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, each member of the Missouri Congressional delegation, and the Governor of Missouri.

**CONCURRENT RESOLUTIONS**

Senators Mayer, Shields, Klindt, Dougherty, Kennedy and Ridgeway offered the following concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO. 5**

WHEREAS, following breast cancer, cervical cancer is the second most common cancer in women worldwide; and

WHEREAS, according to federal governmental statistics, cervical cancer is the third most common gynecological cancer among American women, with approximately 12,200 new cases diagnosed annually, 4,100 of which result in fatalities; and

WHEREAS, with regular and accurate screening, cervical cancer is highly preventable; widespread screening programs have helped to reduce death rates of women from cervical cancer, but women are still dying even with such advanced medical techniques and evaluative procedures; and

WHEREAS, cervical cancer cases in the United States are generally attributed to a lack of education, a reduction of access available to regular cervical cancer screening, and a lack of screening accuracy; and

WHEREAS, experience shows that increasing cervical cancer awareness among women, especially the underserved women within our state, significantly reduces the probability of mortality; and

WHEREAS, cervical cancer disproportionately affects minority women and women with lower incomes because they are less likely to have access to routine screening; and

WHEREAS, approximately half of all cervical cancer cases are in women who have never been screened, and ten percent of cases are in women who have not been screened within the last five years; and

WHEREAS, the median age of cervical cancer patients at diagnosis is 47 years, the youngest median age for all female reproductive cancers; and

WHEREAS, new screening technologies, including FDA-approved testing for human papillomavirus, which is the cause of virtually all cervical cancers, offer new opportunities to finally eliminate this potentially deadly disease through early identification of women at increased risk; and

WHEREAS, leading medical organizations, including the American College of Obstetricians and Gynecologists, the American Cancer Society, and the Association of Reproductive Health Professionals, have recently updated their screening guidelines to include FDA-approved testing for the human papillomavirus; and

WHEREAS, women are entitled to proper cervical cancer information, so that they can be empowered to make informed healthcare decisions, and access to routine screening, including the most accurate methods available; and

WHEREAS, the Missouri General Assembly recognizes that through education and screening, women can lower their likelihood for developing cervical cancer, and that through early detection, cervical cancer can be successfully treated after it develops:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby supports the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in taking the lead in formulating the Comprehensive Cancer Action Plan for Missouri, including the review of data regarding cervical cancer and human papillomavirus of women in Missouri, evaluating current methods used to provide women with information regarding cervical cancer, access to regular screening, and options for increasing screening accuracy. The Missouri General Assembly supports the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in the identification of pockets of need, priority strategies, and new technologies, including newly introduced therapies and preventive vaccines which are effective in preventing and controlling cervical cancer; and

BE IT FURTHER RESOLVED that the Comprehensive Cancer Action Plan for Missouri, which serves as a nationwide model of effective cancer control strategies, be presented yearly to the Governor, Lieutenant Governor, President Pro Tem of the Senate, the Speaker of the House of Representatives and to be posted on the Missouri state website homepage; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor of Missouri, the Director of the Department of Health and Senior Services and the Director of the Missouri Cancer Consortium.

### INTRODUCTION OF BILLS

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

**SB 410**—By Graham.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to the exclusion of assets for purposes of determining eligibility for public assistance.

**SB 411**—By Wilson.

An Act to repeal sections 407.1095, 407.1098, 407.1101, and 407.1104, RSMo, and to enact in lieu thereof four new sections relating to telemarketing no-call list.

**SB 412**—By Taylor.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to public employees.

**SB 413**—By Taylor.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to political subdivisions.

**SB 414**—By Purgason.

An Act to repeal sections 65.030, 65.150, 65.180, 65.190, 65.200, 65.220, 65.230, 65.300, 65.610, and 231.230, RSMo, and to enact in lieu thereof eleven new sections relating to counties with township organization.

**SB 415**—By Cauthorn.

An Act to repeal section 393.015, RSMo, and

to enact in lieu thereof two new sections relating to water and sewer companies.

**SB 416**—By Engler and Dougherty.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance agreements between certain health care providers.

**SB 417**—By Engler, Days, Champion, Loudon, Graham, Callahan, Bray, Dougherty, Cauthorn, Clemens, Mayer, Taylor and Shields.

An Act to repeal sections 172.030, 172.037, 172.040, 172.060, 174.450, 174.610, 174.620, and 174.621, RSMo, and to enact in lieu thereof eight new sections relating to the governing boards of certain state higher education institutions.

**SB 418**—By Mayer.

An Act to repeal section 595.045, RSMo, and to enact in lieu thereof one new section relating to crime victims' compensation fund.

**SB 419**—By Mayer.

An Act to repeal section 577.054 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and section 577.054 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and section 610.123, RSMo, and to enact in lieu thereof two new sections relating to expungement of records.

**SB 420**—By Mayer.

An Act to repeal section 534.090, RSMo, and to enact in lieu thereof one new section relating to serving of summons.

**SB 421**—By Bartle.

An Act to repeal section 238.216, RSMo, and to enact in lieu thereof one new section relating to submission of a petition to form a transportation district.

**SB 422**—By Bartle.

An Act to repeal section 610.123, RSMo,

section 577.054 as enacted by house substitute for senate substitute for senate committee substitute for senate bills nos. 1233, 840 & 843, ninety-second general assembly, second regular session, and section 577.054 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof two new sections relating to expungement petitions.

**SB 423**—By Bartle.

An Act to repeal sections 488.5050, 650.050, 650.052, and 650.055, RSMo, and to enact in lieu thereof four new sections relating to a DNA profiling system.

**THIRD READING OF SENATE BILLS**

**SB 71**, introduced by Senator Griesheimer, entitled:

An Act to repeal section 105.267, RSMo, and to enact in lieu thereof one new section relating to public officers and employees.

Was called from the Consent Calendar and taken up.

On motion of Senator Griesheimer, **SB 71** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Griesheimer	Gross
Kennedy	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor
Vogel	Wheeler	Wilson—31	

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 21**, introduced by Senator Shields, entitled:

An Act to repeal section 453.020, RSMo, and to enact in lieu thereof one new section relating to putative father registry.

Was called from the Consent Calendar and taken up.

On motion of Senator Shields, **SB 21** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Griesheimer	Gross
Kennedy	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor
Vogel	Wheeler	Wilson—31	

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 162**, introduced by Senator Gross, entitled:

An Act to repeal sections 192.400, 192.410,

and 192.420, RSMo, and to enact in lieu thereof three new sections relating to radiation control.

Was called from the Consent Calendar and taken up.

On motion of Senator Gross, **SB 162** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 165**, introduced by Senator Bartle, entitled:

An Act to repeal sections 386.510, 386.520, 386.530, and 386.540, RSMo, and to enact in lieu thereof four new sections relating to judicial appeal of public service commission orders.

Was called from the Consent Calendar and taken up.

Senator Bartle requested unanimous consent of the Senate to make a technical change on page 5, line 18, by deleting the word “entity” and

inserting in lieu thereof the word “utility”, which request was granted.

On motion of Senator Bartle, **SB 165** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 123**, introduced by Senator Bartle, entitled:

An Act to repeal sections 351.107, 351.180, 351.182, 351.295, and 351.405, RSMo, and to enact in lieu thereof five new sections relating to corporations.

Was called from the Consent Calendar and taken up.

On motion of Senator Bartle, **SB 123** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell

Days	Dolan	Dougherty	Engler	Absent—Senators—None
Gibbons	Graham	Green	Griesheimer	
Gross	Kennedy	Klindt	Koster	Absent with leave—Senators—None
Loudon	Mayer	Nodler	Purgason	
Ridgeway	Scott	Shields	Stouffer	Vacancies—2
Taylor	Vogel	Wheeler	Wilson—32	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SB 149**, introduced by Senator Nodler, entitled:

An Act to repeal section 36.390, RSMo, and to enact in lieu thereof one new section relating to state personnel law.

Was called from the Consent Calendar and taken up.

On motion of Senator Nodler, **SB 149** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

NAYS—Senators—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.

**SB 189**, introduced by Senator Gross, entitled:

An Act to repeal sections 198.439, 208.480, and 338.550, RSMo, and to enact in lieu thereof three new sections relating to the health care provider tax, with an emergency clause.

Was called from the Consent Calendar and taken up.

On motion of Senator Gross, **SB 189** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel	Wheeler	Wilson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

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

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

President Kinder assumed the Chair.

**SB 171**, introduced by Senator Purgason, entitled:

An Act to repeal section 229.160, RSMo, relating to protection of bridges.

Was called from the Consent Calendar and taken up.

On motion of Senator Purgason, **SB 171** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Bray	Callahan	Cauthorn
Champion	Clemens	Coleman	Crowell
Days	Dolan	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Kennedy	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor
Vogel	Wheeler	Wilson—31	

NAYS—Senator Gross—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

**SS for SJR 1**, introduced by Senator Klindt, entitled:

SENATE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 1

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 47(c) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the parks and soils tax.

Was called from the Informal Calendar and taken up.

On motion of Senator Klindt, **SS for SJR 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bartle	Cauthorn	Champion	Clemens
Coleman	Crowell	Dolan	Engler
Gibbons	Graham	Griesheimer	Gross
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel—24

NAYS—Senators

Bray	Callahan	Days	Dougherty
Green	Kennedy	Wheeler	Wilson—8

Absent—Senators—None

Absent with leave—Senators—None



Vacancies—2

The President declared the bill passed.

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

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

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

### 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  
February 23, 2005

TO THE SENATE OF THE 93rd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Alice Ann Bartlett, Republican, 1514 Morningside Drive, Chillicothe, Livingston County, Missouri 65613, as the Employer Representative of the Labor and Industrial Relations Commission, for a term ending June 27, 2010, and until her successor is duly appointed and qualified; vice, Bill I. Foster, withdrawn.

Respectfully submitted,  
MATT BLUNT  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101  
February 23, 2005

TO THE SENATE OF THE 93rd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Donna J. English, 1600 Paddlewheel Circle, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Head Injury Advisory Council, for a term ending May 12, 2007, and until her successor is duly appointed and qualified; vice, 192.745, RSMo.

Respectfully submitted,  
MATT BLUNT  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101  
February 23, 2005

TO THE SENATE OF THE 93rd 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 S. James, 14802 Lake Pointe Court, Liberty, Clay County, Missouri 64068, as the Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, Charles R. Jackson.

Respectfully submitted,  
MATT BLUNT  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101  
February 23, 2005

TO THE SENATE OF THE 93rd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Bernadette A. Miller, 1902 East Cardinal Street, Springfield, Greene County, Missouri 65804, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2008, and until her successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,  
MATT BLUNT  
Governor

Also,

OFFICE OF THE GOVERNOR

State of Missouri  
Jefferson City  
65101  
February 23, 2005

TO THE SENATE OF THE 93rd GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

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

Danny Joe Patterson, 712 West Steel, Seymour, Webster County, Missouri 65746, as a member of the Corrections Officer Certification Commission, for a term ending October 30, 2007, and until his successor is duly appointed and qualified; vice, Conrad H. Sutton, withdrawn.

Respectfully submitted,  
MATT BLUNT  
Governor

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

### REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 138**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Gibbons, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Gordon A. Elliot, as a member of the Southwest Missouri State University Board of Governors;

Also,

Homer R. Thompson, as a member of the Missouri State Board of Chiropractic Examiners;

Also,

Mark S. Wasinger, as a member of the Truman State University Board of Governors;

Also,

Kevin L. Thompson, as a member of the Health and Educational Facilities Authority of the State of Missouri;

Also,

Joseph M. Forand, M.D., as a member of the Missouri State Board of Health;

Also,

Linward Appling, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Carl D. Nelson, as a member of the Board of Therapeutic Massage;

Also,

Jerry R. King, as a member of the State Fair Commission;

Also,

Margaret Freeman, as a member of the Missouri Planning Council on Developmental Disabilities;

Also,

Tina A. Odo, as a member of the Missouri Public Entity Risk Management Board of Trustees;

Also,

Dave Edwards, as a member of the Amusement Ride Safety Board;

Also,

Michael J. Stephens, R.Ph., as a member of the Commission for the Missouri Senior Rx Program;

Also,

William Dale Finke, as the Director of the Department of Insurance;

Also,

Deborah K. Waller, as a member of the State Board of Cosmetology;

Also,

Michael A. Marx, as a member of the Seismic Safety Commission;

Also,

M. Jenise Comer, as a member of the State Committee for Social Workers.

Senator Gibbons requested unanimous consent of the Senate to vote on the above reports in one

motion. There being no objection, the request was granted.

Senator Gibbons moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

**REFERRALS**

President Pro Tem Gibbons referred **SCS** for **SB 138** to the Committee on Governmental Accountability and Fiscal Oversight.

**RESOLUTIONS**

Senator Callahan offered Senate Resolution No. 449, regarding Chalice Young, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 450, regarding Jessica Yeager, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 451, regarding Whitney Wells, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 452, regarding Heather Taylor, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 453, regarding Shaleah Gines, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 454, regarding Nicolette Foster, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 455, regarding Stephanie Dudley, Independence, which was adopted.

Senator Callahan offered Senate Resolution No. 456, regarding the One Hundredth Birthday of Edris Jean Duell Jones, Independence, which was adopted.

Senator Shields offered Senate Resolution No. 457, regarding the 135th Field Artillery Brigade, Task Force Guardian, which was adopted.

Senator Bartle offered Senate Resolution No. 458, regarding Jacob Dean LaCombe, Lee’s Summit, which was adopted.

Senator Bartle offered Senate Resolution No. 459, regarding Violet Frye, Blue Springs, which was adopted.

**INTRODUCTIONS OF GUESTS**

Senator Champion introduced to the Senate, the Physician of the Day, Dr. John Lilly, D.O., Springfield.

On motion of Senator Shields, the Senate adjourned until 4:00 p.m., Monday, February 28, 2005.

**SENATE CALENDAR**

THIRTIETH DAY—MONDAY, FEBRUARY 28, 2005

**FORMAL CALENDAR**

**SECOND READING OF SENATE BILLS**

SB 381-Ridgeway  
SB 382-Vogel  
SB 383-Vogel

SB 384-Scott  
SB 385-Scott  
SB 386-Loudon

SB 387-Loudon  
 SB 388-Loudon  
 SB 389-Taylor  
 SB 390-Taylor  
 SB 391-Dougherty, et al  
 SB 392-Coleman  
 SB 393-Stouffer  
 SB 394-Nodler  
 SB 395-Scott  
 SB 396-Crowell  
 SB 397-Graham  
 SB 398-Graham  
 SB 399-Bray  
 SB 400-Klindt  
 SB 401-Kennedy  
 SB 402-Gibbons, et al  
 SB 403-Green  
 SB 404-Koster  
 SB 405-Koster

SB 406-Gross  
 SB 407-Mayer  
 SB 408-Ridgeway  
 SB 409-Graham  
 SB 410-Graham  
 SB 411-Wilson  
 SB 412-Taylor  
 SB 413-Taylor  
 SB 414-Purgason  
 SB 415-Cauthorn  
 SB 416-Engler and Dougherty  
 SB 417-Engler, et al  
 SB 418-Mayer  
 SB 419-Mayer  
 SB 420-Mayer  
 SB 421-Bartle  
 SB 422-Bartle  
 SB 423-Bartle  
 SJR 19-Ridgeway

Unofficial  
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HOUSE BILLS ON SECOND READING

HCS for HB 441

Journal  
 THIRD READING OF SENATE BILLS

SCS for SB 138-Wheeler  
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 147-Cauthorn, with SCS

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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 29-Dolan, with SCS & SA 1 (pending)  
 SB 32-Bartle, with SCS & SS for SCS  
 (pending)

SB 179-Griesheimer, et al, with SCS  
 (pending)

SB 210-Griesheimer, with SCS

SB 225-Cauthorn, with SCS & SS#2 for SCS  
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/21

SB 242-Scott  
SB 131-Loudon  
SB 211-Loudon

SB 122-Nodler  
SB 6-Klindt, with SCS

Reported 2/23

SB 252-Koster, et al, with SCS  
SB 177-Shields

SB 342-Bartle

Unofficial

RESOLUTIONS

Reported from Committee

SCR 2-Cauthorn

SCR 3-Crowell

Journal

To be Referred

SCR 5-Mayer, et al

SR 448-Engler

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