

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SEVENTH DAY— THURSDAY, APRIL 21, 2005

The Senate met pursuant to adjournment.

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

“So acknowledge today and take to heart that the Lord is God in heaven above and on the earth beneath; there is no other.” (Deuteronomy 4:39)

Heavenly Father, may we remember and live our lives knowing that during the most difficult times, You are our God. May we return to our families after our work is done for this week and share the joy, peace, love and abundance that comes to us from You, confident in Your omnipotent presence. 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			
Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham

Green	Griesheimer	Gross	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

Absent—Senators—None

Absent with leave—Senator Kennedy—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Vogel offered the following resolution:

SENATE RESOLUTION NO. 1154

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2005 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability, the Missouri Planning Council for Developmental Disabilities, and the Independent Living Resource Center of Jefferson City, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-third General Assembly,

hereby grant the 2005 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 26, 2005, from 1:30 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Vogel requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1154** up for adoption, which request was granted.

On motion of Senator Vogel, **SR 1154** was adopted.

Senator Stouffer offered Senate Resolution No. 1155, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Lammers, Boonville, which was adopted.

Senator Crowell offered Senate Resolution No. 1156, regarding the Ninety-ninth Birthday of Paula Kempe, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1157, regarding Company C of the 1140th Engineering Battalion, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1158, regarding the Veterans Park Committee, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1159, regarding Walter Bizzell, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1160, regarding Beth Butcher, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1161, regarding Ken Williams, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1162, regarding Troop E Division of Drug and Crime Control, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1163, regarding Mike Conway, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1164, regarding Sabona of London,

Incorporated, Sikeston, which was adopted.

Senator Crowell offered Senate Resolution No. 1165, regarding Chester Kordahl, Sikeston, which was adopted.

REPORTS OF STANDING COMMITTEES

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 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:

Sandra K. Branson, as Director of the Division of Credit Unions;

Also,

Toni R. Smith, D.O., as a member of the State Board of Registration for the Healing Arts;

Also,

James A. Divincen, as a member of the Tourism Commission;

Also,

Celeste T. Witzel, as a member of the State Lottery Commission;

Also,

John G. Kennon, as a member of the Missouri Training and Employment Council;

Also,

Peggy D. Loman, 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. 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 reappointment, which motion prevailed.

President Pro Tem Gibbons assumed the Chair.

Senator Loudon, Chairman of the Committee on Small Business, Insurance and Industrial Relations, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HCS** for **HB 108**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industrial Relations, to which was referred **HCS** for **HB 388**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Scott, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 468**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 174**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Vogel, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 186**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 592**, begs leave

to report that it has considered the same and recommends that the bill do pass.

Senator Griesheimer, Chairman of the Committee on Economic Development, Tourism and Local Government, submitted the following reports:

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 135**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HB 48**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, Tourism and Local Government, to which was referred **HCS** for **HB 58**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Champion, Chairman of the Committee on Aging, Families, Mental and Public Health, submitted the following reports:

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **SB 393**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Aging, Families, Mental and Public Health, to which was referred **HB 596**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dolan, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 564**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 487**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crowell, Chairman of the Committee on Pensions, Veterans' Affairs and General Laws, submitted the following reports:

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 437**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 334**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **SJR 19**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Pensions, Veterans' Affairs and General Laws, to which was referred **HCS for HB 606**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cauthorn, Chairman of the Committee on Governmental Accountability and Fiscal

Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS for SCS for SB 2**; **SS for SCS for SB 144**; **SCS for SB 196**; **SS for SB 220**; and **SCS for SB 481**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Koster assumed the Chair.

President Kinder assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Klindt moved that **SB 55**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for SB 55, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 55

An Act to amend chapter 375, RSMo, by adding thereto seven new sections relating to insurance compliance audits.

Was taken up.

Senator Klindt moved that **SCS for SB 55** be adopted.

Senator Klindt offered **SS for SCS for SB 55**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 55

An Act to amend chapters 374 and 375, RSMo, by adding thereto eight new sections relating to the disclosure of certain insurance-related documents.

Senator Koster assumed the Chair.

Senator Klindt moved that **SS for SCS for SB 55** be adopted.

Senator Scott assumed the Chair.

At the request of Senator Klindt, **SB 55**, with **SCS** and **SS for SCS** (pending), was placed on the Informal Calendar.

Senator Nodler moved that **SB 37**, **SB 322**, **SB**

78, SB 351 and SB 424, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 37, 322, 78, 351 and 424**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 37, 322, 78, 351 and 424

An Act to repeal repeal sections 311.310, 311.325, 565.024, 568.050, and 577.023, RSMo, section 302.309 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 302.309 as enacted by conference committee substitute no. 2 for senate committee substitute for house committee substitute for house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof seven new sections relating to alcohol related offenses, with penalty provisions.

Was taken up.

Senator Nodler moved that **SCS** for **SBs 37, 322, 78, 351 and 424** be adopted.

Senator Nodler offered **SS** for **SCS** for **SBs 37, 322, 78, 351 and 424**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 37, 322, 78, 351 and 424

An Act to repeal sections 311.310, 311.325, 565.024, 568.050, and 577.023, RSMo, section 302.309 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 and 1043, ninety-second general assembly, second regular session and section 302.309 as enacted by conference committee substitute no. 2 for senate committee substitute for house committee substitute for house bill nos. 302 and 38, ninety-first general assembly, first regular session, and to enact in lieu thereof six new sections relating to alcohol related offenses, with penalty provisions.

Senator Nodler moved that **SS** for **SCS** for

SBs 37, 322, 78, 351 and 424 be adopted.

Senator Shields offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 37, 322, 78, 351 and 424, Page 20, Section 577.023, Line 1, by inserting after the word "prior" the following: "**offender**,"; and further amend said line by inserting an opening bracket "[" before the word "or"; and further amend said line by inserting a closing bracket "]" after the word "or"; and further amend said line by inserting after the word "offender" the following: ", **aggravated offender, or chronic offender**".

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

At the request of Senator Nodler, **SB 37, SB 322, SB 78, SB 351 and SB 424**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 144** was placed on the Informal Calendar.

SCS for **SB 481**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 481

An Act to repeal sections 162.675, 162.725, 162.735, and 162.740, RSMo, and to enact in lieu thereof three new sections relating to special education services.

Was taken up by Senator Shields.

On motion of Senator Shields, **SCS** for **SB 481** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Days	Dolan	Dougherty
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Klindt	Koster

Loudon Mayer Nodler Purgason
 Ridgeway Scott Shields Stouffer
 Taylor Vogel Wilson—31

NAYS—Senators—None

Absent—Senator Crowell—1

Absent with leave—Senators

Kennedy Wheeler—2

Vacancies—None

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 Bartle moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 144**, introduced by Senator Gross, entitled:

SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 144

An Act to repeal sections 478.570 and 478.600, RSMo, and to enact in lieu thereof two new sections relating to judicial circuits.

Was called from the Informal Calendar and taken up.

On motion of Senator Gross, **SS** for **SCS** for **SB 144** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Crowell—1

Absent with leave—Senators
Kennedy Wheeler—2

Vacancies—None

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

SS for **SB 220** was placed on the Informal Calendar.

SS for **SB 348** was placed on the Informal Calendar.

SCS for **SB 196**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 196

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to material recovery operations.

Was taken up by Senator Ridgeway.

On motion of Senator Ridgeway, **SCS** for **SB 196** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham
Green	Griesheimer	Gross	Koster
Loudon	Mayer	Nodler	Ridgeway
Scott	Shields	Stouffer	Taylor
Vogel	Wilson—30		

NAYS—Senators—None

Absent—Senators

Klindt Purgason—2

Absent with leave—Senators

Kennedy Wheeler—2

Vacancies—None

The President declared the bill passed.

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

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

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

SB 194, introduced by Senator Engler, entitled:

An Act to repeal section 595.209, RSMo, and to enact in lieu thereof one new section relating to rights of crime victims.

Was taken up.

On motion of Senator Engler, **SB 194** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Kennedy Wheeler—2

Vacancies—None

The President declared the bill passed.

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

Senator Engler 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 Nodler moved that **SB 37**, **SB 322**, **SB 78**, **SB 351** and **SB 424**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SBs 37**, **322**, **78**, **351** and **424**, as amended, was again taken up.

Senator Koster offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 37, 322, 78, 351 and 424, Page 15, Section 565.024, Line 12, by inserting an opening bracket “[” before the capital letter “C”; and further amend said line by inserting a closing bracket “]” after the capital letter “C”; and further amend said line by inserting a capital letter “B” after the capital letter “C”; and

Further amend lines 24-25 by striking all of said lines and inserting in lieu thereof the following: **“blood alcohol content of at least eighteen-hundredths but less than twenty-four-hundredths of one percent by weight of alcohol in such person’s blood; or**

(4) Causes the death of any person while he or she has a blood alcohol content of at least twenty-four-hundredths of one percent by weight of alcohol in such person’s blood.”; and further amend lines 26-27 by striking all of said lines and inserting in lieu thereof the following:

“4. Involuntary manslaughter in the first degree under subdivisions (1), (2), or (3) of subsection 3 of this section is a class B felony. Involuntary manslaughter in the first degree under subdivision (4) of subsection 3 of this section is a class A felony. For any violation of subsection 3 of this section, the minimum prison term which the defendant must serve shall be eighty-five percent of his or her sentence.”

Senator Koster moved that the above

amendment be adopted, which motion prevailed.

Senator Nodler moved that **SS** for **SCS** for **SBs 37, 322, 78, 351 and 424**, as amended, be adopted, which motion prevailed.

On motion of Senator Nodler, **SS** for **SCS** for **SBs 37, 322, 78, 351 and 424**, as amended, was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SS for **SB 220**, introduced by Senator Dolan, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 220**

An Act to repeal sections 105.711, 105.726, 537.600, and 537.610, RSMo, and to enact in lieu thereof five new sections relating to civil liability of state agencies, public entities, and the employees thereof, with an emergency clause for certain sections.

Was called from the Informal Calendar and taken up.

Senator Wilson requested to be excused from voting under the provisions of **SR 91**, which request was granted.

On motion of Senator Dolan, **SS** for **SB 220** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Days	Dolan	Dougherty
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Vogel	Wheeler—30		

NAYS—Senators—None

Absent—Senators

Crowell Taylor—2

Absent with leave—Senator Kennedy—1

Excused from voting—Senator Wilson—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Days	Dolan	Dougherty
Engler	Gibbons	Graham	Griesheimer
Gross	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor
Vogel	Wheeler—30		

NAYS—Senator Green—1

Absent—Senator Crowell—1

Absent with leave—Senator Kennedy—1

Excused from voting—Senator Wilson—1

Vacancies—None

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

Senator Dolan 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 **SB 348**, introduced by Senator Clemens, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 348**

An Act to repeal section 324.484, RSMo, and to enact in lieu thereof one new section relating to exemption of dentists from acupuncture licensing requirements.

Was called from the Informal Calendar and taken up.

On motion of Senator Clemens, **SS** for **SB 348**

was read the 3rd time and passed by the following vote:

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

YEAS—Senators			
Alter	Barnitz	Bartle	Callahan
Cauthorn	Champion	Clemens	Crowell
Dolan	Dougherty	Engler	Gibbons
Green	Griesheimer	Gross	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Taylor	Vogel—26		

NAYS—Senators			
Bray	Coleman	Days	Graham
Wheeler	Wilson—6		

NAYS—Senators—None

Absent—Senator Klindt—1

Absent—Senator Crowell—1

Absent with leave—Senator Kennedy—1

Absent with leave—Senator Kennedy—1

Vacancies—None

Vacancies—None

The President declared the bill passed.

The President declared the bill passed.

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

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

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

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

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

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

President Pro Tem Gibbons assumed the Chair.

SS for SCS for SB 2, introduced by Senator Loudon, entitled:

MESSAGES FROM THE HOUSE

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 2

The following messages were received from the House of Representatives through its Chief Clerk:

An Act to repeal sections 188.010, 188.015, 188.025, 188.052, 188.055, 188.070, 188.075, 188.080, and 197.200, RSMo, and to enact in lieu thereof eighteen new sections relating to abortion and alternatives to abortion services, with penalty provisions.

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 209, entitled:

Was taken up.

An Act to amend chapters 71 and 92, RSMo, by adding thereto nine new sections relating to assessment and collection of various taxes on telecommunications companies.

On motion of Senator Loudon, SS for SCS for SB 2 was read the 3rd time and passed by the following vote:

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 **HB 320**, entitled:

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to lapse of district corporate organization.

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 440**, entitled:

An Act to repeal sections 172.030, 172.035, 172.037, 172.040, 172.060, 174.055, 174.450, 174.453, 174.610, 174.620, 174.621, RSMo, and sections 174.450 and 174.453 as truly agreed to and finally passed by the ninety-third general assembly, first regular session, in senate substitute for senate committee substitute for senate bill no. 98, and to enact in lieu thereof eleven new sections relating to the governing boards of certain state higher education institutions.

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 525**, entitled:

An Act to repeal sections 105.466, 105.473, 105.485, 105.487, 105.489, 105.492, 105.957, 105.961, 105.963, 105.971, 105.973, 130.011, 130.021, 130.036, 130.041, 130.046, 130.049, 130.050, and 130.057, RSMo, and to enact in lieu thereof eighteen new sections relating to ethics, 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 **HB 530**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to American Sign Language.

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 286**, entitled:

An Act to amend chapter 26, RSMo, by adding thereto one new section relating to the emancipation day commission.

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 **HB 417**, entitled:

An Act to amend chapter 303, RSMo, by adding thereto one new section relating to the uninsured motorist stipulation of benefits act.

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 **HB 617**, entitled:

An Act to repeal sections 249.1150, 249.1152,

249.1154, 249.1155, 640.635, 644.076, 701.031, and 701.038, RSMo, and to enact in lieu thereof four new sections relating to watershed districts.

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 827**, entitled:

An Act to repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to continuation of medical assistance for employed disabled persons.

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 49** and **50**, entitled:

An Act to repeal sections 558.016 and 595.209, RSMo, and to enact in lieu thereof two new sections relating to early release of offenders.

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 36**, entitled:

An Act to repeal section 334.010, RSMo, and to enact in lieu thereof two new sections relating to rights of pregnant women.

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 No. 2** for **HB 568**, entitled:

An Act to repeal sections 210.117, 211.037, 211.038, 211.447, 452.375, and 452.400, RSMo, and to enact in lieu thereof six new sections relating to protection of children.

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 **HB 205**, entitled:

An Act to repeal sections 454.530 and 454.536, RSMo, and to enact in lieu thereof two new sections relating to child support payments and records.

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 576**, entitled:

An Act to repeal sections 536.010, 536.050, 536.100, 536.140, 536.300, 536.305, and 536.310, RSMo, and to enact in lieu thereof eleven new sections relating to small business.

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 353**, entitled:

An Act to repeal sections 1.160, 8.177, 43.010, 43.120, 43.509, 43.532, 43.543, 195.017, 195.214, 211.031, 217.105, 217.750, 302.321, 302.541, 304.022, 306.112, 306.114, 306.116, 306.117, 306.119, 306.140, 306.147, 540.031, 542.276, 544.170, 545.550, 556.036, 558.016, 558.019, 559.016, 559.036, 559.115, 566.140, 568.045, 568.050, 569.040, 569.050, 569.080, 569.090, 570.030, 570.040, 570.080, 570.255, 570.300, 575.150, 576.050, 577.023, 577.041, 577.500, 589.417, and 595.209, RSMo, and to enact in lieu thereof sixty-five new sections relating to crime, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Bartle, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 542**, begs leave to report that it has considered the same and recommends that the bill do pass.

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 House has taken up and passed **HCS** for **HB 863**, entitled:

An Act to amend chapter 99, RSMo, by adding thereto six new sections relating to tax incentives for economic development.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Purgason offered Senate Resolution No. 1166, regarding Corrections Officer II Brian Patton, Summersville, which was adopted.

Senator Green offered Senate Resolution No. 1167, regarding Sue Panetti-Lee, Florissant, which was adopted.

Senator Green offered Senate Resolution No. 1168, regarding the late Trooper Ralph C. Tatoian, which was adopted.

Senator Dolan offered Senate Resolution No. 1169, regarding Dr. John R. Lawrence, which was adopted.

Senator Koster offered Senate Resolution No. 1170, regarding Bobby R. Patton, Ph.D., Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Jim and Kim Head, Lynee Miller, Carolyn Thurman, Michelle Hinshaw, Trisha Jones and fourth grade students from Tri-County Christian School, Macon.

Senator Shields introduced to the Senate, Dan Danford, St. Joseph.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Gregory Branham, M.D., Frontenac.

Senator Nodler introduced to the Senate, representatives of Leadership Joplin.

Senator Griesheimer introduced to the Senate, parents and thirty-three fifth and sixth grade students from Holy Rosary Catholic School, Warrenton.

Senator Coleman introduced to the Senate, Paula Cassani, St. Louis.

Senator Engler introduced to the Senate, Lisa Jaschke, Tracy McCart, Kathleen LyDay, parents and fourth grade students from Grandview

Elementary School.

Senator Bray introduced to the Senate, Larry Christianson and thirty-two fourth grade students from Mark Twain Elementary School, Brentwood.

Senator Koster introduced to the Senate, students from Ballard School, Bates County.

Senator Engler introduced to the Senate, Denise Thompson, Beverly Weathers, chaperones and seventy eighth grade students from East Carter County R-II, Ellsinore.

Senator Crowell introduced to the Senate, students from St. Augustine School, Kelso.

Senator Days introduced to the Senate, Amy Finkelstein, Cindy Murray, Molly Welsh and fourth grade students from Marvin Elementary School, St. Louis; and Devin Beach was made an honorary page.

Senator Wilson introduced to the Senate, Jermaine Reed, Columbia.

Senator Griesheimer introduced to the Senate, parents and eighth grade students from St. Bridgets Catholic School, Pacific.

On motion of Senator Shields, the Senate adjourned until 3:00 p.m., Monday, April 25, 2005.

SENATE CALENDAR

Unofficial
FIFTY-EIGHTH DAY—MONDAY, APRIL 25, 2005

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 209
HB 320-Muschany, et al
HCS for HB 440
HCS for HB 525
HB 530-Moore, et al
HCS for HB 286
HB 417-Yates, et al
HB 617-Kelly (144), et al

HCS for HB 827
HCS for HBs 49 & 50
HCS for HB 36
HCS#2 for HB 568
HB 205-Salva
HCS for HB 576
HCS for HB 353
HCS for HB 863

THIRD READING OF SENATE BILLS

SS for SB 402-Gibbons
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 393-Stouffer, with SCS
SJR 19-Ridgeway

SB 542-Callahan

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 365 (Crowell) | 11. HB 48-Dougherty, with SCS (Callahan) |
| 2. HCS for HB 347, with SCS (Dolan) | 12. HCS for HB 58, with SCS (Griesheimer) |
| 3. HCS for HB 441, with SCS (Cauthorn) | 13. HB 596-Schaaf |
| 4. HCS for HB 108 | 14. HB 564-Boykins, et al |
| 5. HCS for HB 388 | 15. HB 487-Bruns and Deeken, with SCS
(Vogel) |
| 6. HCS for HB 468, with SCS (Scott) | 16. HCS for HB 437, with SCS |
| 7. HCS for HB 174 (Taylor) | 17. HCS for HB 334 (Crowell) |
| 8. HCS for HB 186 (Scott), with SCS | 18. HCS for HB 606 (Kennedy) |
| 9. HB 592-Cooper (120) | |
| 10. HCS for HB 135, with SCS (Shields) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 316-Dolan
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 3-Loudon, with SCS | SB 152-Wilson, with SCS |
| SB 5-Klindt, with SCS & SS for SCS
(pending) | SB 159-Cauthorn |
| SB 12-Cauthorn and Klindt | SB 160-Bartle, et al, with SS (pending) |
| SB 29-Dolan, with SCS & SA 1 (pending) | SB 185-Loudon, et al, with SA 1 & SA 1
to SA 1 (pending) |
| SB 44-Wheeler and Bray, with SCS | SB 199-Gross |
| SB 50-Taylor and Nodler, with SCS & SS
for SCS (pending) | SB 214-Scott, et al, with SCS |
| SB 55-Klindt, with SCS & SS for SCS
(pending) | SB 236-Klindt and Clemens |
| SB 64-Kennedy, with SCS | SB 240-Scott |
| SB 90-Dougherty, with SCS | SB 241-Scott |
| SB 93-Cauthorn, with SCS | SB 253-Koster, with SCS |
| | SB 284-Cauthorn and Clemens,
with SCS |

SB 291-Mayer, et al, with SCS & SS for
SCS (pending)
SB 321-Shields
SB 324-Scott, with SCS
SB 339-Gross, with SCS
SBs 365 & 204-Mayer, et al, with SCS
(pending)

SB 373-Bartle
SB 376-Loudon
SB 434-Cauthorn
SB 470-Engler
SB 548-Loudon

CONSENT CALENDAR

House Bills

Reported 4/11

HB 707-Cunningham (145) and Byrd, with SCS (Scott)	HB 395-Wood (Taylor)
HB 678-Byrd, with SCS (Bartle)	HCS for HB 422 (Crowell)
HB 402-Schaaf, et al (Shields)	HB 431-Wright (137) (Champion)
HB 280-Walsh, et al (Green)	HB 445-Guest and Whorton (Klindt)
HB 524-May, et al (Scott)	HCS for HB 448 (Coleman)
HB 248-Pearce (Dolan)	HB 453-May, et al (Crowell)
HB 342-Baker (123) (Koster)	HB 479-Ervin (Ridgeway)
HB 600-Cooper (155), et al (Clemens)	HCS for HB 515, with SCS (Taylor)
HCS for HB 379 (Crowell)	HCS for HB 531 (Champion)
HB 40-Tilley (Engler)	HCS for HB 577 (Purgason)
HCS for HB 47, with SCS (Shields)	HCS for HB 631 (Gibbons)
HB 127-Bivins (Griesheimer)	HB 638-Cunningham (86), with SCS (Wheeler)
HCS for HB 215 (Koster)	HB 685-Franz, with SCS (Purgason)
HB 260-Deeken (Vogel)	HB 743-Kingery, et al (Engler)
HB 345-Baker (123) (Koster)	

Reported 4/12

HBs 361 & 684-Lipke, with SCS (Bartle)	HB 43-Wallace (Taylor)
HB 688-Byrd, et al, with SCS (Bartle)	HB 53-Swinger and Bean, with SCS (Mayer)
HCS for HB 630 (Purgason)	HB 155-Ruestman (Taylor)
HB 567-Stevenson, et al (Crowell)	HB 243-May, et al (Dolan)
HB 486-Bruns (Vogel)	HB 423-Kuessner, with SCS (Engler)
HCS for HB 362, with SCS (Bartle)	HB 528-Cunningham (145), with SCS (Clemens)
HB 456-Kuessner, et al, with SCS (Engler)	HB 618-Bearden, et al, with SCS (Gross)
HB 450-Meiners, with SCS (Griesheimer)	

HCS for HB 119 (Stouffer)
 HCS for HBs 163, 213 & 216 (Gross)
 HB 219-Salva and Johnson (47) (Wheeler)
 HB 236-Goodman (Taylor)
 HB 261-Deeken (Griesheimer)

HB 323-Johnson (47) (Shields)
 HCS for HB 348 (Koster)
 HB 473-Yates (Bartle)
 HB 258-Cunningham (86) (Nodler)

Reported 4/13

HCS for HB 297, with SCS
 HCS for HB 443, with SCS (Mayer)
 HB 33-Phillips (Shields)

HB 455-Quinn, et al (Klindt)
 HCS for HB 563 (Shields)
 HCS for HB 513 (Loudon)

Reported 4/14

HB 69-Rupp (Loudon)
 HCS for HB 56 (Dolan)
 HCS#2 for HB 232, with SCS (Ridgeway)
 HB 413-Hubbard, et al (Coleman)

HCS for HBs 462 & 463 (Shields)
 HB 681-Chappelle-Nadal (Days)
 HB 321-Yates (Bartle)
 HB 229-Portwood, with SCS (Gross)

RESOLUTIONS

Journal
 Reported from Committee

SCR 5-Mayer, et al
 SCR 10-Scott
 SCR 12-Koster

SCR 7-Loudon
 SCR 13-Griesheimer

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