

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY— MONDAY, APRIL 25, 2005

The Senate met pursuant to adjournment.

Senator Griesheimer in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk with wisdom toward them that are without....Let your speech be always with grace.” (Colossians 4:5-6)

Gracious God, as we begin a new week help us to be mindful to always use our heads as we deal with one another. Help our conversations and behavior be always pleasant, gracious and winsome filled with kindness and even handed. And, may our decisions always be helpful and effective as we vote on bills presented to us. 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 for Thursday, April 21, 2005 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	Kennedy

Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	Wilson—34		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Scott offered Senate Resolution No. 1171, regarding Steven M. Geary, Holts Summit, which was adopted.

Senator Champion offered Senate Resolution No. 1172, regarding Rebecca Ansley, Springfield, which was adopted.

Senators Stouffer and Bartle offered Senate Resolution No. 1173, regarding Gary F. Baker, Oak Grove, which was adopted.

Senator Stouffer offered Senate Resolution No. 1174, regarding Nathaniel Thomas White, which was adopted.

Senator Mayer offered Senate Resolution No. 1175, regarding Corrections Officer I Travis Burchard, Greenville, which was adopted.

Senator Nodler offered Senate Resolution No. 1176, regarding K & S Wire Products, Inc., Neosho, which was adopted.

Senator Gibbons offered Senate Resolution No. 1177, regarding Devin Wayne Penn, Manchester, which was adopted.

Senator Griesheimer offered Senate Resolution No. 1178, regarding Gregory Michael Brown, Eureka, which was adopted.

Senator Engler offered Senate Resolution No. 1179, regarding Corrections Officer I Lance Jones, Cadet, which was adopted.

Senator Engler offered Senate Resolution No. 1180, regarding Corrections Officer I Benjamin Cosgrove, Bismarck, which was adopted.

Senator Klindt offered Senate Resolution No. 1181, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Vincent Runnels, Gallatin, which was adopted.

Senator Klindt offered Senate Resolution No. 1182, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Tritten, which was adopted.

Senator Klindt offered Senate Resolution No. 1183, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Dean Francis, Ravanna, which was adopted.

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 498**, entitled:

An Act to repeal sections 569.080, 569.090, 570.030, 570.040 and 570.080, RSMo, and to enact in lieu thereof six new sections relating to stealing, 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 HB 640**, entitled:

An Act to repeal section 407.1135, RSMo, and to enact in lieu thereof six new sections relating to unsolicited commercial electronic mail, 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 HB 866**, entitled:

An Act to repeal sections 375.146 and 375.991, RSMo, and to enact in lieu thereof three new sections relating to insurance fraud, 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 116**, entitled:

An Act to amend chapter 209, RSMo, by adding thereto three new sections relating to rights of persons with service dogs, with penalty provisions and an emergency clause.

Emergency clause adopted.

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 196**, entitled:

An Act to repeal section 556.036, 569.040,

and 569.050, RSMo, and to enact in lieu thereof three new sections relating to the statute of limitation for certain crimes, 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 832**, entitled:

An Act to amend chapter 213, RSMo, by adding thereto one new section relating to restrictive covenants.

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 824**, entitled:

An Act to repeal sections 444.765, 621.015, and 643.079, RSMo, and to enact in lieu thereof six new sections relating to environmental regulation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **SS for SCS for SBs 37, 322, 78, 351 and 424**, 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 Cauthorn, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS for SB 402**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Gross, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HB 1**, 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 Appropriations, to which was referred **HCS for HB 2**, 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 Appropriations, to which was referred **HCS for HB 3**, 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 Appropriations, to which was referred **HCS for HB 4**, 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 Appropriations, to which was referred **HCS for HB 5**, 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 Appropriations, to which was referred **HCS** for **HB 6**, 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 Appropriations, to which was referred **HCS** for **HB 7**, 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 Appropriations, to which was referred **HCS** for **HB 8**, 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 Appropriations, to which was referred **HCS** for **HB 9**, 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 Appropriations, to which was referred **HCS** for **HB 10**, 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 Appropriations, to which was referred **HCS** for **HB 11**, 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 Appropriations, to which was referred **HB 12**, 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 Appropriations, to which was referred **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

THIRD READING OF SENATE BILLS

SS for **SB 402**, introduced by Senator Gibbons, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 402

An Act to repeal sections 302.178, 311.310, 311.325, 570.223, and 577.500, RSMo, and to enact in lieu thereof eight new sections relating to substance abuse, with penalty provisions.

Was taken up.

On motion of Senator Gibbons, **SS** for **SB 402** 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	Kennedy
Klindt	Koster	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Loudon—1

Vacancies—None

The President declared the bill passed.

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

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

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

HOUSE BILLS ON THIRD READING

HB 707, with **SCS**, introduced by Representatives Cunningham (145) and Byrd, entitled:

An Act to repeal sections 361.070, 361.080, 361.262, 361.365, 362.042, 362.107, 362.170, 362.210, 362.213, 362.215, 362.217, 362.225, 362.300, 362.305, 362.310, 362.315, 362.520, and 362.600, RSMo, and to enact in lieu thereof twelve new sections relating to banking, with a penalty provision.

Was called from the Consent Calendar and taken up by Senator Scott.

SCS for **HB 707**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 707

An Act to repeal sections 361.060, 361.070, 361.080, 361.262, 361.365, 362.042, 362.107, 362.170, 362.210, 362.213, 362.215, 362.217, 362.225, 362.300, 362.305, 362.310, 362.315, 362.520, and 362.600, RSMo, and to enact in lieu thereof thirteen new sections relating to banking, with penalty provisions.

Was taken up.

Senator Scott moved that **SCS** for **HB 707** be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **HB 707** 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	Kennedy
Klindt	Koster	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields

Stouffer Taylor Vogel Wheeler
Wilson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Loudon—1

Vacancies—None

The President declared the bill passed.

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

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

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

HB 678, with **SCS**, introduced by Representative Byrd, entitled:

An Act to repeal sections 351.107, 351.180, 351.182, 351.295, 351.405, and 409.2-202, RSMo, and to enact in lieu thereof six new sections relating to corporations.

Was called from the Consent Calendar and taken up by Senator Bartle.

SCS for **HB 678**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 678

An Act to repeal sections 351.107, 351.180, 351.182, 351.295, and 409.2-202, RSMo, and to enact in lieu thereof five new sections relating to corporations.

Was taken up.

Senator Bartle moved that **SCS** for **HB 678** be adopted.

Senator Bartle requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 678, Page 4, Section 351.180, Line 86, by striking “uncertified” and inserting in lieu thereof “**uncertificated**”.

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

Senator Bartle moved that **SCS** for **HB 678**, as amended, be adopted, which motion prevailed.

On motion of Senator Bartle, **SCS** for **HB 678**, as amended, 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 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.

HB 402, introduced by Representative Schaaf, et al, entitled:

An Act to repeal sections 330.010, 330.020, 330.030, 330.040, 330.045, 330.050, 330.065,

330.070, 330.080, 330.090, 330.100, 330.110, 330.160, 330.180, 330.200, and 330.210, RSMo, and to enact in lieu thereof sixteen new sections relating to podiatrists, with penalty provisions.

Was called from the Consent Calendar and taken up by Senator Shields.

On motion of Senator Shields, **HB 402** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 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.

HB 280, introduced by Representative Walsh, et al, entitled:

An Act to repeal section 115.436, RSMo, and to enact in lieu thereof one new section relating to physically disabled voters.

Was called from the Consent Calendar and taken up by Senator Green.

On motion of Senator Green, **HB 280** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 Green, title to the bill was agreed to.

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

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

HB 524, introduced by Representative May, et al, entitled:

An Act to repeal section 105.473, RSMo, and to enact in lieu thereof one new section relating to lobbyist duties.

Was called from the Consent Calendar and taken up by Senator Scott.

On motion of Senator Scott, **HB 524** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	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—33			

NAYS—Senators—None

Absent—Senator Champion—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HB 248, introduced by Representative Pearce, entitled:

An Act to repeal section 365.130, RSMo, and to enact in lieu thereof one new section relating to the motor vehicle time sales law.

Was called from the Consent Calendar and taken up by Senator Dolan.

On motion of Senator Dolan, **HB 248** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 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.

HB 342, introduced by Representative Baker (123), entitled:

An Act to repeal section 115.019, RSMo, and to enact in lieu thereof one new section relating to board of election commissioners.

Was called from the Consent Calendar and taken up by Senator Koster.

On motion of Senator Koster, **HB 342** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 Koster, title to the bill was agreed to.

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

Senator Shields moved that motion lay on the

table, which motion prevailed.

HB 600, introduced by Representative Cooper (155), et al, entitled:

An Act to repeal section 337.510, RSMo, and to enact in lieu thereof one new section relating to licensing requirements for professional counselors.

Was called from the Consent Calendar and taken up by Senator Clemens.

On motion of Senator Clemens, **HB 600** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 Clemens, title to the bill was agreed to.

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.

HCS for HB 379, entitled:

An Act to repeal sections 36.031, 361.170, and 370.107, RSMo, and to enact in lieu thereof three new sections relating to compensation for financial institution regulators.

Was called from the Consent Calendar and

taken up by Senator Crowell.

On motion of Senator Crowell, **HCS for HB 379** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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 Crowell, title to the bill was agreed to.

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

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

HB 40, introduced by Representative Tilley, entitled:

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to industrial development corporations, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Engler.

On motion of Senator Engler, **HB 40** 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	Kennedy
Klindt	Koster	Loudon	Mayer
Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel
Wheeler	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

Alter	Barnitz	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Crowell assumed the Chair.

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.

HCS for HB 47, with SCS, entitled:

An Act to repeal section 182.640, RSMo, and to enact in lieu thereof one new section relating to consolidated public library districts, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Shields.

SCS for HCS for HB 47, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 47**

An Act to repeal section 182.640, RSMo, and to enact in lieu thereof one new section relating to consolidated public library districts, with an emergency clause.

Was taken up.

Senator Shields moved that **SCS for HCS for HB 47** be adopted, which motion prevailed.

On motion of Senator Shields, **SCS for HCS for HB 47** 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	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

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	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham
Green	Griesheimer	Gross	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—None

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.

HB 127, introduced by Representative Bivins, et al, entitled:

An Act to repeal sections 321.190 and 321.603, RSMo, and to enact in lieu thereof two new sections relating to fire protection district board attendance fees.

Was called from the Consent Calendar and taken up by Senator Griesheimer.

On motion of Senator Griesheimer, **HB 127** 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 Kennedy
 Koster Loudon Mayer Nodler
 Purgason Ridgeway Scott Shields
 Stouffer Taylor Vogel Wheeler
 Wilson—33

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HB 260, introduced by Representative Deeken, entitled:

An Act to authorize the conveyance of property owned by the state in Cole County to the Regional West Fire District, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Vogel.

On motion of Senator Vogel, **HB 260** 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
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—None

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.

HCS for HB 215, entitled:

An Act to repeal section 67.1350, RSMo, and to enact in lieu thereof one new section relating to annexation procedures for cities and towns.

Was called from the Consent Calendar and taken up by Senator Koster.

On motion of Senator Koster, **HCS for HB 215** 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	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Klindt—1

NAYS—Senators—None

Absent—Senator Dougherty—1

Absent with leave—Senators—None

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	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—34		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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

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

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

HB 345, introduced by Representative Baker (123), entitled:

An Act to repeal section 64.215, RSMo, and to enact in lieu thereof one new section relating to county planning boards.

Was called from the Consent Calendar and taken up by Senator Koster.

On motion of Senator Koster, **HB 345** 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
Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Dougherty—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HB 395, introduced by Representative Wood, entitled:

An Act to repeal section 247.085, RSMo, and to enact in lieu thereof one new section relating to water supply districts.

Was called from the Consent Calendar and taken up by Senator Taylor.

On motion of Senator Taylor, **HB 395** 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	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler
Wilson—33			

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HB 431, introduced by Representative Wright (137), entitled:

An Act to repeal section 99.918, RSMo, and to enact in lieu thereof one new section relating to economic stimulus.

Was called from the Consent Calendar and taken up by Senator Champion.

On motion of Senator Champion, **HB 431** was read the 3rd time and passed by the following vote:

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

NAYS—Senators			
Bray	Dougherty	Green	Wilson—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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.

HCS for HB 448, entitled:

An Act to repeal section 84.160, RSMo, and to enact in lieu thereof one new section relating to pay for police officers, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Coleman.

Under the provisions of **SR 91**, Senator Wilson was excused from voting.

On motion of Senator Coleman, **HCS for HB 448** 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	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler—32

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

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	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham
Green	Griesheimer	Gross	Kennedy
Koster	Loudon	Mayer	Nodler
Purgason	Ridgeway	Scott	Shields
Stouffer	Taylor	Vogel	Wheeler—32

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Excused from voting—Senator Wilson—1

Vacancies—None

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

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

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

HOUSE BILLS ON SECOND READING

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

HCS for HB 209—Economic Development, Tourism and Local Government.

HB 320—Education.

HCS for HB 440—Education.

HCS for HB 525—Financial and Governmental Organizations and Elections.

HB 530—Education.

HCS for HB 286—Pensions, Veterans' Affairs and General Laws.

HB 417—Small Business, Insurance and Industrial Relations.

HB 617—Agriculture, Conservation, Parks and Natural Resources.

HCS for HB 827—Pensions, Veterans' Affairs and General Laws.

HCS for HBs 49 and 50—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 36—Pensions, Veterans' Affairs and General Laws.

HCS No. 2 for HB 568—Judiciary and Civil and Criminal Jurisprudence.

HB 205—Aging, Families, Mental and Public Health.

HCS for HB 576—Small Business, Insurance and Industrial Relations.

HCS for HB 353—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 863—Economic Development, Tourism and Local Government.

REFERRALS

President Pro Tem Gibbons referred **HCS for HB 468**, with **SCS**; and **SS for SCS for SBs 37, 322, 78, 351 and 424** to the Committee on Governmental Accountability and Fiscal Oversight.

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 **SCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

RESOLUTIONS

Senator Crowell offered Senate Resolution No. 1184, regarding DiDi Starrett, which was adopted.

Senator Crowell offered Senate Resolution No. 1185, regarding Blake Kidd, which was adopted.

Senator Crowell offered Senate Resolution No. 1186, regarding Yale Garber, which was adopted.

Senator Crowell offered Senate Resolution No. 1187, regarding Prithvi Rudrappa, which was adopted.

Senator Crowell offered Senate Resolution No. 1188, regarding Jimmy Chisholm, which was adopted.

Senator Crowell offered Senate Resolution

No. 1189, regarding Cory Chisholm, which was adopted.

Senator Vogel offered Senate Resolution No. 1190, regarding Clark Hunter, Versailles, which was adopted.

Senator Callahan offered Senate Resolution No. 1191, regarding Anthony Roland "Tony" Woolsey, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Graham introduced to the Senate,

Dane Fuhrman and his mother, Lisa Fuhrman, Moberly.

Senator Wheeler introduced to the Senate, Michael Bay, Vic Allred, Bob Sullivan, John Lane and Brina Bruno, Kansas City.

Senator Kennedy introduced to the Senate, Forrest Miller, St. Louis.

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

SENATE CALENDAR

FIFTY-NINTH DAY—TUESDAY, APRIL 26, 2005

Unofficial
FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 498
HCS for HB 640
HCS for HB 866
HB 116-Deeken, et al

HB 196-Wildberger, et al
HB 832-Brook, et al
HCS for HB 824

Journal

THIRD READING OF SENATE BILLS

SS for SCS for SBs 37, 322, 78, 351 & 424-Nodler (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)
2. HCS for HB 347, with SCS (Dolan)
3. HCS for HB 441, with SCS (Cauthorn)
4. HCS for HB 108 (Shields)

- | | |
|--|-------------------------------------|
| 5. HCS for HB 388 (Loudon) | 18. HCS for HB 606 (Kennedy) |
| 6. HCS for HB 468, with SCS (Scott)
(In Fiscal Oversight) | 19. HB 1-Lager, with SCS (Gross) |
| 7. HCS for HB 174 (Taylor) | 20. HCS for HB 2, with SCS (Gross) |
| 8. HCS for HB 186, with SCS (Scott) | 21. HCS for HB 3, with SCS (Gross) |
| 9. HB 592-Cooper (120) (Dolan) | 22. HCS for HB 4, with SCS (Gross) |
| 10. HCS for HB 135, with SCS (Shields) | 23. HCS for HB 5, with SCS (Gross) |
| 11. HB 48-Dougherty, with SCS (Callahan) | 24. HCS for HB 6, with SCS (Gross) |
| 12. HCS for HB 58, with SCS (Griesheimer) | 25. HCS for HB 7, with SCS (Gross) |
| 13. HB 596-Schaaf (Shields) | 26. HCS for HB 8, with SCS (Gross) |
| 14. HB 564-Boykins, et al (Coleman) | 27. HCS for HB 9, with SCS (Gross) |
| 15. HB 487-Bruns and Deeken, with SCS
(Vogel) | 28. HCS for HB 10, with SCS (Gross) |
| 16. HCS for HB 437, with SCS (Crowell) | 29. HCS for HB 11, with SCS (Gross) |
| 17. HCS for HB 334 (Crowell) | 30. HB 12-Lager, with SCS (Gross) |
| | 31. HB 13-Lager, with SCS (Gross) |

Unofficial

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 185-Loudon, et al, with SA 1 & SA 1
to SA 1 (pending) |
| SB 5-Klindt, with SCS & SS for SCS
(pending) | SB 199-Gross |
| SB 12-Cauthorn and Klindt | SB 214-Scott, et al, with SCS |
| SB 29-Dolan, with SCS & SA 1 (pending) | SB 236-Klindt and Clemens |
| SB 44-Wheeler and Bray, with SCS | SB 240-Scott |
| SB 50-Taylor and Nodler, with SCS & SS
for SCS (pending) | SB 241-Scott |
| SB 55-Klindt, with SCS & SS for SCS
(pending) | SB 253-Koster, with SCS |
| SB 64-Kennedy, with SCS | SB 284-Cauthorn and Clemens, with SCS |
| SB 90-Dougherty, with SCS | SB 291-Mayer, et al, with SCS & SS for
SCS (pending) |
| SB 93-Cauthorn, with SCS | SB 321-Shields |
| SB 152-Wilson, with SCS | SB 324-Scott, with SCS |
| SB 159-Cauthorn | SB 339-Gross, with SCS |
| SB 160-Bartle, et al, with SS (pending) | 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

HCS for HB 422 (Crowell)	HCS for HB 577 (Purgason)
HB 445-Guest and Whorton (Klindt)	HCS for HB 631 (Gibbons)
HB 453-May, et al (Crowell)	HB 638-Cunningham (86), with SCS (Wheeler)
HB 479-Ervin (Ridgeway)	HB 685-Franz, with SCS (Purgason)
HCS for HB 515, with SCS (Taylor)	HB 743-Kingery, et al (Engler)
HCS for HB 531 (Champion)	

Reported 4/12

HBs 361 & 684-Lipke, with SCS (Bartle)	HB 528-Cunningham (145), with SCS (Clemens)
HB 688-Byrd, et al, with SCS (Bartle)	HB 618-Bearden, et al, with SCS (Gross)
HCS for HB 630 (Purgason)	HCS for HB 119 (Stouffer)
HB 567-Stevenson, et al (Crowell)	HCS for HBs 163, 213 & 216 (Gross)
HB 486-Bruns (Vogel)	HB 219-Salva and Johnson (47) (Wheeler)
HCS for HB 362, with SCS (Bartle)	HB 236-Goodman (Taylor)
HB 456-Kuessner, et al, with SCS (Engler)	HB 261-Deeken (Griesheimer)
HB 450-Meiners, with SCS (Griesheimer)	HB 323-Johnson (47) (Shields)
HB 43-Wallace (Taylor)	HCS for HB 348 (Koster)
HB 53-Swinger and Bean, with SCS (Mayer)	HB 473-Yates (Bartle)
HB 155-Ruestman (Taylor)	HB 258-Cunningham (86) (Nodler)
HB 243-May, et al (Dolan)	
HB 423-Kuessner, with SCS (Engler)	

Reported 4/13

HCS for HB 297, with SCS (Nodler)	HB 455-Quinn, et al (Klindt)
HCS for HB 443, with SCS (Mayer)	HCS for HB 563 (Shields)
HB 33-Phillips (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

Reported from Committee

SCR 5-Mayer, et al

SCR 10-Scott

SCR 12-Koster

SCR 7-Loudon

SCR 13-Griesheimer

SCR 15-Gibbons

Unofficial

Journal

Copy