

# Journal of the Senate

FIRST REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 11, 2005

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Now we have received not the Spirit of the World, but the Spirit that is from God, so that we might understand the gifts bestowed on us by God.” (I Corinthians 2:12)

Gracious God, we give You thanks for the gifts we have received from You and rejoice that we are able to use them as we serve the people of Missouri. We pray, bless the results of the use of these gifts if they are in keeping with Your will and forgive those results which cause another harm and give us a right understanding of ourselves so we may live in harmony with You. 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

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 Gibbons offered Senate Resolution No. 35, regarding Graham T. Mason, Des Peres, which was adopted.

## CONCURRENT RESOLUTIONS

Senator Shields moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Shields, **HCR 1** was adopted by the following vote:

YEAS—Senators

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

Wheeler            Wilson—30

NAYS—Senators—None

Absent—Senators

Graham            Kennedy—2

Absent with leave—Senators—None

Vacancies—2

## COMMITTEE APPOINTMENTS

President Pro Tem Gibbons appointed the following committee pursuant to **HCR 1**: Senators Bartle, Loudon, Crowell, Mayer, Ridgeway, Koster, Coleman, Callahan, Wilson and Green.

President Pro Tem Gibbons requested unanimous consent to make one motion to return the appointments appearing on Pages 53-59 of the Senate Journal for Monday, January 10, 2005 to the Governor, pursuant to his request, which request was granted.

President Pro Tem Gibbons moved that all appointments listed in the Governor's withdrawal letter appearing on Pages 53-59 of the Senate Journal for Monday, January 10, 2005 be returned pursuant to his request, which motion prevailed.

## CONCURRENT RESOLUTIONS

Senator Cauthorn offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, faith-based and community organizations are currently providing quality social services and making a positive difference in the communities they serve; and

WHEREAS, faith-based and community organizations are serving their communities in areas such as the prevention and treatment of juvenile delinquency, child care services, support services for the elderly, the prevention of crime, the intervention in and prevention of domestic violence, and a number of other social service areas; and

WHEREAS, some of these faith-based and community organizations are currently receiving funds from federal government, or through a state, city, or local government that itself receives federal funds, to carry out their missions; and

WHEREAS, because of the quality services provided by these organizations, it is important for the state and local governments to utilize their services by working in partnership with faith-based and community organizations; and

WHEREAS, faith-based and community organizations that currently work in partnership with local governments or judicial circuits are doing so within the framework of the Constitutional church-state guidelines:

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 express their gratitude to faith-based and community organizations working in their communities to improve the lives of the citizens of this state; and

BE IT FURTHER RESOLVED that we support the mission of faith-based and community organizations to provide social services to improve the lives of our citizens; and

BE IT FURTHER RESOLVED that we support and encourage the state and all local governments to work in partnership with faith-based and community organizations to provide quality social services that improve the lives of so many of our citizens in particular and better our society in general; 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, the presiding judge of each judicial circuit in this state, and to the director of each state department.

## INTRODUCTION OF BILLS

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

**SB 160**—By Bartle, Cauthorn, Loudon, Scott, Clemens, Callahan, Stouffer, Engler, Dolan, Griesheimer, Purgason, Kennedy, Mayer, Taylor, Nodler, Vogel, Champion and Green.

An Act to amend chapter 565, RSMo, by adding thereto one new section relating to human cloning, with penalty provisions.

**SB 161**—By Gross.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the powers of local school boards.

**SB 162**—By Gross.

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.

**SB 163**—By Loudon, Bartle and Cauthorn.

An Act to repeal sections 288.036, 288.038, 288.045, 288.050, 288.121, 288.128, 288.310, and 288.330, RSMo, and to enact in lieu thereof eight new sections relating to unemployment compensation, with an emergency clause.

**SB 164**—By Crowell.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to public funds.

**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 adopted **HCR 10**.

HOUSE CONCURRENT RESOLUTION NO. 10

BE IT RESOLVED by the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 2, 2005, to receive a message from Pete K. Rahn, Director of the Missouri Department of Transportation; and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

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

Unofficial  
SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 12, 2005

Journal  
FORMAL CALENDAR  
SECOND READING OF SENATE BILLS

- SB 1-Loudon, et al
- SB 2-Loudon and Gross
- SB 3-Loudon
- SB 4-Klindt
- SB 5-Klindt
- SB 6-Klindt
- SB 7-Dougherty
- SB 8-Dougherty
- SB 9-Dougherty
- SB 10-Cauthorn, et al
- SB 11-Cauthorn
- SB 12-Cauthorn and Klindt
- SB 13-Kennedy
- SB 14-Kennedy
- SB 15-Kennedy

- SB 16-Coleman
- SB 17-Coleman
- SB 18-Coleman
- SB 19-Shields
- SB 20-Shields
- SB 21-Shields
- SB 22-Griesheimer
- SB 23-Griesheimer and Kennedy
- SB 24-Griesheimer
- SB 25-Champion, et al
- SB 26-Champion and Wheeler
- SB 27-Champion
- SB 28-Dolan
- SB 29-Dolan
- SB 30-Dolan

Copy

SB 31-Bartle	SB 74-Champion
SB 32-Bartle	SB 75-Champion and Wheeler
SB 33-Bartle	SB 76-Dolan
SB 34-Clemens	SB 77-Dolan
SB 36-Nodler	SB 78-Dolan
SB 37-Nodler	SB 79-Bartle
SB 38-Nodler and Taylor	SB 80-Bartle
SB 39-Bray	SB 81-Bartle
SB 40-Bray	SB 82-Bray
SB 41-Bray	SB 83-Bray
SB 42-Days	SB 84-Bray
SB 43-Days	SB 85-Crowell
SB 44-Wheeler and Bray	SB 86-Crowell
SB 45-Purgason	SB 87-Klindt
SB 46-Purgason	SB 88-Klindt
SB 47-Crowell	SB 89-Dougherty
SB 48-Crowell	SB 90-Dougherty
SB 49-Crowell	SB 91-Dougherty
SB 50-Taylor and Nodler	SB 92-Cauthorn
SB 51-Taylor and Callahan	SB 93-Cauthorn
SB 52-Loudon	SB 94-Cauthorn
SB 53-Loudon	SB 95-Coleman
SB 54-Loudon	SB 96-Coleman
SB 55-Klindt	SB 97-Coleman and Champion
SB 56-Klindt	SB 98-Champion, et al
SB 57-Klindt	SB 99-Champion
SB 58-Dougherty	SB 100-Champion
SB 59-Dougherty	SB 101-Dolan
SB 60-Dougherty	SB 102-Bartle
SB 61-Cauthorn	SB 103-Bartle
SB 62-Cauthorn	SB 104-Bartle
SB 63-Cauthorn	SB 105-Bray
SB 64-Kennedy	SB 106-Bray
SB 65-Coleman	SB 107-Bray
SB 66-Coleman	SB 108-Dougherty
SB 67-Coleman	SB 109-Dougherty
SB 68-Shields	SB 110-Dougherty
SB 69-Shields and Wheeler	SB 111-Cauthorn
SB 70-Shields	SB 112-Coleman
SB 71-Griesheimer	SB 113-Coleman
SB 72-Griesheimer	SB 114-Champion
SB 73-Champion	SB 115-Bartle

SB 116-Bartle	SB 148-Nodler
SB 118-Bray	SB 149-Nodler
SB 119-Bray	SB 150-Green
SB 120-Bray	SB 151-Green
SB 121-Bray	SB 152-Wilson
SB 122-Nodler	SB 153-Graham
SB 123-Bartle	SB 154-Bray and Days
SB 124-Nodler	SB 155-Mayer
SB 125-Taylor	SB 156-Shields
SB 128-Coleman	SB 157-Crowell
SB 129-Vogel	SB 158-Cauthorn
SB 130-Clemens	SB 159-Cauthorn
SB 131-Loudon	SB 160-Bartle, et al
SB 132-Ridgeway	SB 161-Gross
SB 133-Loudon and Gross	SB 162-Gross
SB 134-Wheeler	SB 163-Loudon, et al
SB 135-Wheeler	SB 164-Crowell
SB 136-Champion	SJR 1-Klindt
SB 137-Taylor	SJR 2-Klindt
SB 138-Wheeler	SJR 3-Cauthorn
SB 139-Wheeler	SJR 4-Cauthorn
SB 140-Days	SJR 5-Coleman
SB 141-Nodler	SJR 6-Bartle
SB 142-Gross	SJR 7-Bartle
SB 143-Gross	SJR 8-Bartle
SB 144-Gross	SJR 9-Clemens
SB 145-Dougherty	SJR 10-Purgason
SB 146-Dougherty	SJR 11-Bartle
SB 147-Cauthorn	SJR 12-Taylor

Unofficial  
Journal

Resolutions

HCR 2-Dempsey (Shields)

HCR 10-Dempsey (Shields)

To be Referred

SCR 2-Cauthorn