

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 15, 2005

The Senate met pursuant to adjournment.

Senator Koster in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let those suffering in accordance with God’s will entrust themselves to a faithful Creator, while continuing to do good.” (I Peter 4:19)

O Blessed God, You know that many times we receive criticism and misunderstanding while we attempt to do the good that You have given us the ability to perform. So we pray strengthen us through this long day as we pursue to do Your will doing good despite how tired we may be and the difficulties we will encounter. And, help us pass on some of that caring to others. 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 KRCCG-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.

President Kinder assumed the Chair.

Senator Koster assumed the Chair.

RESOLUTIONS

Senator Graham offered Senate Resolution No. 314, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Albert T. Holt, Rolla, which was adopted.

Senator Wilson offered Senate Resolution No. 315, regarding the late David Shapiro, Kansas City, which was adopted.

Senator Gibbons offered Senate Resolution No. 316, regarding Frank J. Gregg, St. Louis, which was adopted.

Senator Stouffer offered Senate Resolution

No. 317, regarding the Thirtieth Wedding Anniversary of Mr. and Mrs. Jim Friedrich, Boonville, which was adopted.

Senator Crowell offered Senate Resolution No. 318, regarding Gavin Flentge, Perryville, which was adopted.

Senator Mayer offered Senate Resolution No. 319, regarding George Hensel, IV, Piedmont, which was adopted.

Senator Ridgeway offered Senate Resolution No. 320, regarding Probation and Parole Officer II Karol Hughes, Kansas City, which was adopted.

INTRODUCTION OF BILLS

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

SB 351—By Ridgeway and Gibbons.

An Act to repeal section 311.325, RSMo, and to enact in lieu thereof one new section relating to minor in possession based on blood alcohol content, with penalty provisions.

SB 352—By Stouffer.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an income tax credit for child care, with an effective date.

SB 353—By Gibbons.

An Act to repeal section 208.574, RSMo, and to enact in lieu thereof one new section relating to the expiration of the Missouri senior Rx program, with an expiration date.

SB 354—By Griesheimer.

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to state enforcement of certain federal orders prohibiting the operation of commercial motor vehicles.

SB 355—By Griesheimer.

An Act to repeal section 311.554, RSMo, and to enact in lieu thereof fifteen new sections relating to the Missouri wine and grape board.

SB 356—By Shields.

An Act to repeal section 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 three new sections relating to intoxication-related traffic offenses, with penalty provisions.

SB 357—By Shields.

An Act to repeal sections 86.370, 86.373, 86.374, 86.377, 86.380, 86.383, 86.387, 86.390, 86.393, 86.394, 86.397, 86.398, 86.400, 86.403, 86.407, 86.410, 86.413, 86.417, 86.420, 86.423, 86.427, 86.430, 86.433, 86.434, 86.437, 86.440, 86.441, 86.442, 86.443, 86.445, 86.447, 86.450, 86.453, 86.457, 86.460, 86.463, 86.467, 86.470, 86.473, 86.477, 86.480, 86.483, 86.487, 86.490, 86.493, 86.497, 86.600, 86.610, 86.611, 86.620, 86.630, 86.640, 86.650, 86.660, 86.665, 86.670, 86.671, 86.672, 86.675, 86.676, 86.680, 86.690, 86.700, 86.710, 86.720, 86.730, 86.740, 86.745, 86.750, 86.760, 86.770, 86.780, and 86.790, RSMo, and to enact in lieu thereof seventy-three new sections relating to Kansas City police retirement.

SB 358—By Taylor.

An Act to repeal sections 67.1956, 67.1959, 67.1968, and 67.1979, RSMo, and to enact in lieu thereof four new sections relating to tourism community enhancement districts.

SB 359—By Taylor.

An Act to repeal sections 192.665 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to health care data collection and reporting, with penalty provisions.

SB 360—By Bray.

An Act to repeal sections 143.091, 143.121,

143.225, 143.261, 143.431, 143.451, 143.461, 143.471, 144.010, 144.030, and 144.190, RSMo, and to enact in lieu thereof nine new sections relating to taxation, with an effective date.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 2**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 3**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 98**, 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.

SECOND READING OF SENATE BILLS

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

SB 321—Aging, Families, Mental and Public Health.

SB 322—Judiciary and Civil and Criminal Jurisprudence.

SB 323—Aging, Families, Mental and Public

Health.

SB 324—Financial and Governmental Organizations and Elections.

SB 325—Judiciary and Civil and Criminal Jurisprudence.

SB 326—Economic Development, Tourism and Local Government.

SB 327—Transportation.

SB 329—Financial and Governmental Organizations and Elections.

SB 331—Aging, Families, Mental and Public Health.

SB 332—Economic Development, Tourism and Local Government.

SB 333—Agriculture, Conservation, Parks and Natural Resources.

SB 334—Small Business, Insurance and Industrial Relations.

SB 335—Governmental Accountability and Fiscal Oversight.

SB 336—Education.

SB 337—Pensions, Veterans' Affairs and General Laws.

SB 338—Ways and Means.

SB 339—Ways and Means.

SB 340—Transportation.

SB 341—Aging, Families, Mental and Public Health.

SB 342—Judiciary and Civil and Criminal Jurisprudence.

SB 343—Ways and Means.

SJR 14—Agriculture, Conservation, Parks

and Natural Resources.

SJR 15—Education.

SJR 16—Judiciary and Civil and Criminal Jurisprudence.

SJR 17—Education.

RE-REFERRALS

President Pro Tem Gibbons re-referred the following Bills: **SB 313** to the Committee on Transportation; **SB 314** to the Committee on Transportation; and **SB 315** to the Committee on Aging, Families, Mental and Public Health.

COMMUNICATIONS

President Pro Tem Gibbons submitted the following:

February 14, 2005

Mrs. Terry Spieler
Secretary of the Senate
State Capitol
Jefferson City, MO

Dear Terry:

Effective Monday, February 14, 2005 the location of the Committee on Agriculture, Conservation, Parks and Natural Resources will permanently change to the Senate Lounge.

Yours truly,
/s/ Michael R. Gibbons
MICHAEL R. GIBBONS
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Klindt introduced to the Senate, fifty Registered Nursing students and instructors from North Central Missouri College, Trenton.

Senator Engler introduced to the Senate, Breana Uzzell, Cory Rice and Gary Bierman, Ste. Genevieve.

Senator Mayer introduced to the Senate, Karmen Foster and Shannon Rahm, Poplar Bluff.

Senator Kennedy introduced to the Senate, Jan Polizzi, St. Louis.

Senator Engler introduced to the Senate, Sue Davis, Ted Banta, Dan Pattengill, Rhonda Schwartz and Ruth Wisdom, Windsor.

Senator Gibbons introduced to the Senate, members of National Association of Women Business Owners.

Senator Gibbons introduced to the Senate, six hundred members of the Missouri Nurses Association.

Senator Stouffer introduced to the Senate, Anthony Johnston, Excelsior Springs.

Senator Purgason introduced to the Senate, Joe Barnard, West Plains; and Dr. Becky Crocker, Mychelle Gaynor, Jessica Enneking, Scott Dye and Jeremy Mahy.

Senator Shields introduced to the Senate, Earl Soetaert, St. Joseph; and David Mason, Smithville.

Senator Griesheimer introduced to the Senate, students from Immaculate Conception Catholic School, Union.

Senator Taylor introduced to the Senate, Tom Buxton and Hannah Jones, Springfield; Whitney Hussey, Carthage; and Neil Yust, Joplin.

Senator Scott introduced to the Senate, Anna Schulte, Abbie Brown, Alice Lasco and Becky Payne McClanahan from Truman State University, School of Nursing, Kirksville.

Senator Loudon introduced to the Senate, the Physician of the Day, Dr. Michael Burns, M.D., St. Louis.

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

SENATE CALENDAR

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 16, 2005

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 344-Wheeler	SB 353-Gibbons
SB 345-Vogel	SB 354-Griesheimer
SB 346-Clemens	SB 355-Griesheimer
SB 347-Clemens and Taylor	SB 356-Shields
SB 348-Clemens	SB 357-Shields
SB 349-Green, et al	SB 358-Taylor
SB 350-Wilson	SB 359-Taylor
SB 351-Ridgeway and Gibbons	SB 360-Bray
SB 352-Stouffer	

THIRD READING OF SENATE BILLS

SCS for SBs 202, 33, 45, 183 & 217-Crowell	SS for SCS for SB 98-Champion
---	-------------------------------

SENATE BILLS FOR PERFECTION

SB 270-Scott, et al, with SCS	SB 210-Griesheimer, with SCS
SB 225-Cauthorn, with SCS	SJR 1-Klindt

CONSENT CALENDAR

Senate Bills

Reported 2/14

SB 24-Griesheimer, with SCS

SB 69-Shields and Wheeler, with SCS

SB 70-Shields, with SCS
SB 86-Crowell
SB 99-Champion
SB 174-Vogel
SB 206-Champion
SB 148-Nodler
SB 122-Nodler, with SCS
SB 178-Shields
SB 180-Loudon, et al
SB 141-Nodler
SB 100-Champion, with SCS

SB 71-Griesheimer
SB 21-Shields
SB 162-Gross
SB 165-Bartle
SB 123-Bartle
SB 149-Nodler
SB 189-Gross
SB 13-Kennedy, et al
SB 171-Purgason
SJR 8-Bartle
SB 36-Nodler

RESOLUTIONS

Reported from Committee

SCR 2-Cauthorn

SCR 3-Crowell

T

Journal

Copy