

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 14, 2006

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"...but you shall love your neighbor as yourself: I am the Lord." (Leviticus 19:18b)

Loving God, on this proclaimed day of love let us truly remember those You have given us to love and to tell them that we do love them. Help us also to do as You commanded, to love our neighbors, those we sometimes overlook who do so much for us and those we pay so little heed whom You have placed in our lives. Help us to be more loving to one another for You have certainly shown Your love for us everyday. 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.

Photographers from the Senate were given permission to take pictures from the Gallery today.

The following Senators were present during the day's proceedings:

Present—Senators

Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Clemens offered Senate Resolution No. 2039, regarding Benjamin Harold Oliver, Republic, which was adopted.

Senator Clemens offered Senate Resolution No. 2040, regarding Nathaniel Bruce Oliver, Republic, which was adopted.

Senator Goodman offered Senate Resolution No. 2041, regarding Kelley Waggoner, Mount Vernon, which was adopted.

Senator Graham offered Senate Resolution No. 2042, regarding the One Hundred First Birthday of Roy L. Reed, Columbia, which was

adopted.

Senator Graham offered Senate Resolution No. 2043, regarding the One Hundred Second Birthday of Charles Jefferson, Columbia, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2044, regarding Kyle Patrick Knight, Washington, which was adopted.

Senator Griesheimer offered Senate Resolution No. 2045, regarding Patrick Thomas Struckhoff, Washington, which was adopted.

INTRODUCTION OF BILLS

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

SB 1050—By Bartle.

An Act to repeal sections 534.380 and 535.110, RSMo, and to enact in lieu thereof two new sections relating to the posting of cash bonds to stay execution in certain landlord-tenant proceedings.

SB 1051—By Bartle.

An Act to repeal sections 534.070, 534.090, 534.355, and 535.030, RSMo, and to enact in lieu thereof four new sections relating to landlord and tenant law.

SENATE BILLS FOR PERFECTION

SB 583, with SCS, was placed on the Informal Calendar.

SB 820, with SCS, was placed on the Informal Calendar.

SB 614, with SCS, was placed on the Informal Calendar.

SB 832, with SCS, was placed on the Informal Calendar.

Senator Scott moved that **SB 575** and **SB 714**, with SCS, be taken up for perfection, which motion prevailed.

SCS for **SBs 575** and **714**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 575 and 714

An Act to repeal sections 196.973, 196.979, and 196.981, RSMo, and to enact in lieu thereof four new sections relating to unused prescription drugs, with penalty provisions and a sunset provision.

Was taken up.

Senator Scott moved that SCS for **SBs 575** and **714** be adopted.

Senator Bartle assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 575 and 714, Page 4, Section 196.990, Line 26, by inserting after all of said line the following:

“5. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September 1 of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

further amend section B, page 4, lines 1-10 by striking all of said section from the bill.

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

Senator Callahan offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 575 and 714, Page 3, Section 196.981, Line 2, by striking the words “criminal or” and

further amend said section and page line 18 by striking the words “criminal or” and

further amend section 196.990, page 4, line 12, by striking the words “criminal or” and

further amend said section and page, line 17, by striking the words “criminal or”.

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

Senator Scott moved that **SCS** for **SBs 575** and **714**, as amended, be adopted, which motion prevailed.

On motion of Senator Scott, **SCS** for **SBs 575** and **714**, as amended, was declared perfected and ordered printed.

SB 588, SB 557, SB 579, SB 563, SB 869, SB 619, SB 570, SB 753, SB 764, SB 782, SB 783 and **SB 890**, with **SCS**, were placed on the Informal Calendar.

Senator Champion moved that **SB 584** be taken up for perfection, which motion prevailed.

Senator Champion offered **SS** for **SB 584**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 584

An Act to repeal sections 302.272, 302.275, and 302.321, RSMo, and to enact in lieu thereof three new sections relating to school bus drivers, with penalty provisions and an effective date.

Senator Champion moved that **SS** for **SB 584** be adopted.

Senator Callahan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No.

584, Page 2, Section 302.272, Line 21, by deleting from said lines the following “, while operating a school bus”,

And further amend same page, same section, line 23, by deleting from said lines the following “while operating a school bus”.

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

Senator Champion moved that **SS** for **SB 584**, as amended, be adopted, which motion prevailed.

On motion of Senator Champion, **SS** for **SB 584**, as amended, was declared perfected and ordered printed.

CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 28—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Gibbons referred **HCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Shields, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Nodler.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 2046, regarding Jerrod Murphy and Jerry Murphy, Poplar Bluff, which was adopted.

Senator Stouffer offered Senate Resolution No. 2047, regarding Dr. William Allen Baker, PgD, PhD, DLitt, ThD, DPhil; Odessa, which was adopted.

Senator Stouffer offered Senate Resolution No. 2048, regarding Kent Kubach, Independence, which was adopted.

Senator Stouffer offered Senate Resolution No. 2049, regarding the death of James Curtis “Coach E” Edmundson, Brunswick, which was adopted.

Senator Goodman offered Senate Resolution No. 2050, regarding Emily Hine, Galena, which was adopted.

Senator Goodman offered Senate Resolution No. 2051, regarding Art Hegi, Smithville, which was adopted.

Senator Goodman offered Senate Resolution No. 2052, regarding Howard Slawson, Shell Knob, which was adopted.

Senator Goodman offered Senate Resolution No. 2053, regarding the Mt. Vernon Veteran’s Home, which was adopted.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

February 14, 2006

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

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

Julius K. Hunter, 1430 Hamilton, Saint Louis City, Missouri 63112, as a member of the Saint Louis City Board of Police Commissioners, for a term ending January 31, 2010 and until his successor is duly appointed and qualified; vice, Bartholomew Saracino, term expired.

Respectfully submitted,

MATT BLUNT

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

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 584** and **SCS** for **SBs 575** and **714**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 849**, with **SS** and **SA 6** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 6 was again taken up.

Senator Ridgeway assumed the Chair.

Senator Nodler assumed the Chair.

Senator Griesheimer assumed the Chair.

Senator Crowell assumed the Chair.

Senator Griesheimer assumed the Chair.

Senator Crowell assumed the Chair.

Senator Kennedy offered **SA 1** to **SA 6**, which was read:

SENATE AMENDMENT NO. 1 TO

SENATE AMENDMENT NO. 6

Amend Senate Amendment No. 6 to Senate Substitute for Senate Bill No. 849, Page 1, Section 34.078, Line 27, by inserting after the word “subsection.”, the following:

“3. The Division of Labor Standards shall submit to the general assembly no later than January 1 of each year a report concerning minority participation and whether each locality specified in Section 290.210, RSMo, has met the goals established by this section.”

Senator Kennedy moved that the above amendment be adopted.

Senator Nodler assumed the Chair.

At the request of Senator Mayer, **SB 849**, with **SS, SA 6** and **SA 1 to SA 6** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Vogel introduced to the Senate, the Physician of the Day, Dr. John Lucio, D.O., Jefferson City.

Senator Days introduced to the Senate, members of Alpha Kappa Alpha Sorority, Inc., from around the state.

Senator Scott introduced to the Senate, students and Advanced Practiced Registered Nurses from around the state.

Senator Cauthorn introduced to the Senate,

Dr. Stephen Hadwiger, Sarah Schelich, Meredith Rocha, Kristin Prange, Rachel Mohler, Stephanie Powelson, Kate Howser and Elizabeth Swartz, Truman State University, Kirksville.

Senator Champion introduced to the Senate, Mike Burnett and Ryan Sivill, Springfield.

Senator Scott introduced to the Senate, Becky McClanahan, Kirksville; Kelley Jenkins, Springfield; Siobhan Burns, St. Louis; Nick Francis, Perryville; Ashley Peterson, Overland Park, Kansas; Alicia Embry and Meredith Williams, Boonville; and Irene Agbevey, Ghana, Africa; and students and faculty from Truman State University, Kirksville.

Senator Scott introduced to the Senate, Justin and Karen Dodson and their son, Joey, and Deborah Smithey, St. Clair County.

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

SENATE CALENDAR

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 TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 15, 2006
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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1040-Barnitz
 SB 1041-Gibbons
 SB 1042-Kennedy
 SB 1043-Coleman
 SB 1044-Alter
 SB 1045-Goodman

SB 1046-Days
 SB 1047-Loudon, et al
 SB 1048-Shields
 SB 1049-Shields
 SB 1050-Bartle
 SB 1051-Bartle

THIRD READING OF SENATE BILLS

SS for SCS for SB 590-Nodler
 (In Fiscal Oversight)

SS for SB 584-Champion
 SCS for SBs 575 & 714-Scott, et al

SENATE BILLS FOR PERFECTION

SB 596-Days
SB 644-Shields

SB 666-Engler, with SCS
SB 629-Gross

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 583-Griesheimer and Alter, with SCS
SBs 588, 557, 579, 563, 869, 619,
570, 753, 764, 782, 783 & 890-Bartle
and Scott, with SCS
SB 614-Stouffer & Goodman, with SCS
SB 689-Scott
SB 690-Champion, with SCS

SB 773-Cauthorn and Barnitz, with SCS
SB 820-Koster, with SCS
SB 832-Griesheimer, with SCS
SB 849-Mayer, et al, with SS, SA 6 &
SA 1 to SA 6 (pending)
SJR 26-Ridgeway and Graham

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 749-Engler, with SCS
SB 747-Klindt, with SCS
SB 641-Scott
SB 818-Scott
SB 819-Scott
SB 828-Scott
SB 678-Gross

SB 630-Gross, with SCS
SB 805-Gross
SB 612-Engler
SB 712-Scott
SB 802-Shields, with SCS
SB 648-Champion
SB 677-Gross

Reported 2/9

SB 559-Gibbons
SB 558-Gibbons
SB 746-Klindt, with SCS
SB 825-Koster, et al, with SCS
SB 881-Engler

SB 900-Shields
SB 765-Dougherty, with SCS
SB 618-Koster
SB 580-Shields, with SCS
SB 650-Champion, with SCS

SB 656-Nodler
SB 679-Gross
SB 840-Stouffer

SB 908-Stouffer
SB 909-Stouffer

RESOLUTIONS

Reported from Committee

SCR 25-Cauthorn, with SCS

SCR 24-Scott, with SCS

Unofficial
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Journal

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