

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—MONDAY, MARCH 13, 2006

The Senate met pursuant to adjournment.

Senator Griesheimer in the Chair.

Reverend Carl Gauck offered the following prayer:

Almighty God, we were awakened at night by the pure force of nature and are aware this day of the destruction that has swept through the Midwest, and Missouri in particular. We understand that You who created the wind and all that exists are even more powerful than the havoc of nature, and our little power is of no comparison. Yet we are thankful that the loss of life and injury was as small as it was. And we pray for the families touched by the storm and petition You that You will comfort those who grieve, heal those injured and give strength to those who must rebuild. Be with us this week and help us to find ways to assist our neighbors. 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, March 9, 2006 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	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 Coleman offered Senate Resolution No. 2368, regarding the death of Edward Foster Tripp, which was adopted.

Senator Gibbons offered Senate Resolution No. 2369, regarding the Missouri-Arkansas District of Circle K International, which was adopted.

Senator Goodman offered Senate Resolution No. 2370, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. James Hill, Mt. Vernon, which was adopted.

Senator Graham offered Senate Resolution

No. 2371, regarding Evan Blakemore, Centralia, which was adopted.

Senator Goodman offered Senate Resolution No. 2372, regarding Jared Raley, Pierce City, which was adopted.

Senator Scott offered Senate Resolution No. 2373, regarding Christie Ann Johnson, which was adopted.

Senator Crowell offered Senate Resolution No. 2374, regarding Thomas L. Meyer, Cape Girardeau, which was adopted.

Senator Engler offered Senate Resolution No. 2375, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Phillip Hurst, Bonne Terre, which was adopted.

Senator Engler offered Senate Resolution No. 2376, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Melvin St. Gemme, Desloge, which was adopted.

Senator Champion offered Senate Resolution No. 2377, regarding the O'Reilly family, Springfield, which was adopted.

Senator Alter offered Senate Resolution No. 2378, regarding Ruth Wisdom, which was adopted.

Senator Days offered Senate Resolution No. 2379, regarding Matthew Kenneth Franks, Wellston, which was adopted.

Senator Goodman offered Senate Resolution No. 2380, regarding the death of Christopher L. Marion, Pineville, which was adopted.

Senator Nodler offered Senate Resolution No. 2381, regarding Scott Bentley, which was adopted.

Senator Mayer offered Senate Resolution No. 2382, regarding the Ninetieth Birthday of Lillian A. Richardson, Poplar Bluff, which was adopted.

Senator Coleman offered Senate Resolution No. 2383, regarding Amanda Boyce, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution

No. 2384, regarding Ebonee Diane Calvin, Florissant, which was adopted.

Senator Coleman offered Senate Resolution No. 2385, regarding Samantha Cranmer, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2386, regarding Brittany Marie Decker, Ste. Genevieve, which was adopted.

Senator Coleman offered Senate Resolution No. 2387, regarding Cecelia Highley, Ste. Genevieve, which was adopted.

Senator Coleman offered Senate Resolution No. 2388, regarding Jackie Kirchofer, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2389, regarding Jessica Lewis, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2390, regarding Sarah LaRose, Chesterfield, which was adopted.

Senator Coleman offered Senate Resolution No. 2391, regarding Corissa Lennon, Ballwin, which was adopted.

Senator Coleman offered Senate Resolution No. 2392, regarding Megan Meyer, St. Charles, which was adopted.

Senator Coleman offered Senate Resolution No. 2393, regarding Renee Moser, Cedar Hill, which was adopted.

Senator Coleman offered Senate Resolution No. 2394, regarding Katy Mueller, Manchester, which was adopted.

Senator Coleman offered Senate Resolution No. 2395, regarding Nerissa Charmel Osby, St. Louis, which was adopted.

Senator Coleman offered Senate Resolution No. 2396, regarding Vanessa Sue Rhinehart, Ste. Genevieve, which was adopted.

Senator Coleman offered Senate Resolution

No. 2397, regarding Kristin Roach, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2398, regarding Mary Rudy, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2399, regarding Stephanie Sander, Chesterfield, which was adopted.

Senator Coleman offered Senate Resolution No. 2400, regarding Jenna Schoenefeld, Wildwood, which was adopted.

Senator Coleman offered Senate Resolution No. 2401, regarding Kathy Schwendemann, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2402, regarding Shannon Stuesse, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2403, regarding Katie Thompson, Cedar Hill, which was adopted.

Senator Coleman offered Senate Resolution No. 2404, regarding Sarah Tucker, Cedar Hill, which was adopted.

Senator Coleman offered Senate Resolution No. 2405, regarding Alyssa Womack, St. Peters, which was adopted.

Senator Coleman offered Senate Resolution No. 2406, regarding Jessica D. Wyatt, St. Louis, which was adopted.

Senator Green offered Senate Resolution No. 2407, regarding the death of Kevin Mark Foster, which was adopted.

CONCURRENT RESOLUTIONS

Senators Bray, Wheeler, Coleman, Days, Graham and Wilson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 33
 Relating to the ratification of the Equal Rights
 Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification."; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-Third General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Equal Rights Amendment to the United States Constitution is hereby ratified; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional Delegation with request that it be printed in the Congressional Record.

SENATE BILLS FOR PERFECTION

Senator Koster moved that **SB 916**, with **SCS**,

SS for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Cauthorn, **SA 1** was withdrawn.

Senator Cauthorn offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 916, Page 4, Section 307.178, Line 6 of said page, by striking the opening bracket “[”]; and further amend line 7 of said page, by striking the words “driver and”; and further amend line 8 of said page, by striking all of said line and inserting in lieu thereof the following: “**passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178, RSMo.**”

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

Senator Koster moved that **SS** for **SCS** for **SB 916**, as amended, be adopted, which motion prevailed.

On motion of Senator Koster, **SS** for **SCS** for **SB 916**, as amended, was declared perfected and ordered printed.

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 **HB 1310**, entitled:

An Act to repeal sections 304.022, 565.024,

and 565.060, RSMo, and to enact in lieu thereof three new sections relating to emergency vehicles, 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 1232**, entitled:

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to the transporting of dead bodies.

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 1153**, entitled:

An Act to repeal section 701.353, RSMo, and to enact in lieu thereof one new section relating to the elevator safety board, with 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 1320**, entitled:

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to criminal background checks of gubernatorial appointees subject to senate confirmation.

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 1343**, entitled:

An Act to repeal sections 478.337, 478.340, 478.343, 478.347, 478.350, and 478.353, RSMo, relating to provision of local circuit court facilities at Canton in Lewis County, with an effective date.

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 1357**, entitled:

An Act to repeal sections 86.1230 and 86.1600, RSMo, and to enact in lieu thereof two new sections relating to police retirement systems.

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 1366**, entitled:

An Act to repeal section 320.300, RSMo, and to enact in lieu thereof one new section relating to volunteer fire protection associations.

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 1367**, entitled:

An Act to repeal sections 34.165 and 178.930, RSMo, and to enact in lieu thereof two new sections relating to state purchasing and printing.

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 1424**, entitled:

An Act to repeal sections 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, 140.730, and 165.071, RSMo, and to enact in lieu thereof fifteen new sections relating to collection of taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE GOVERNOR

State of Missouri

Jefferson City

65101

March 9, 2006

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

The following addendum should be made to the appointment of Philip T. Treacy to the Missouri Real Estate Appraisers Commission, submitted on February 7, 2006. Line 1 should be amended as follows:

“Philip T. Treacy, Republican, 12961 Musket Court, Saint Louis, Saint Louis County”

Respectfully submitted,

MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 9, 2006

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

The following addendum should be made to the appointment of Shawn T. Ordway to the Missouri Real Estate Appraisers Commission, submitted on February 28, 2006. Line 1 should be amended as follows:

“Shawn T. Ordway, Democrat, 1312 Dogwood Drive, Jefferson City, Cole County”

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 8, 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:

Kevin S. Cahill, 7133 Stanford Avenue, University City, Saint Louis County, Missouri 63130, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 10, 2007, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 7, 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:

James D. Corwin, Democrat, 4901 Northwest Old Trail Road, Kansas City, Platte County, Missouri 64151, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 2006, and until his successor is duly appointed and qualified; vice, Antoinett Filla, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 8, 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:

Linda H. Duffy, Republican, 1811 Woodrail Avenue, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 12, 2007, and until her successor is duly appointed and qualified; vice, Lisa Norman, resigned.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 8, 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:

David A. Hamilton, Democrat, 28088 Lynx Avenue, Macon, Macon County, Missouri 63552, as a member of the Dam and Reservoir Safety Council, for a term ending April 3, 2007, and until his successor is duly appointed and qualified; vice, Mary Hagerty, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 8, 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:

Jerry R. King, Republican, Rural Route 4, Box 744, Butler, Bates County, Missouri 64730, as a member of the State Fair Commission, for a term ending December 29, 2009, and until his successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101
March 8, 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:

Thomas F. Myers, Republican, 87 S Street, Lake Lotawana, Jackson County, Missouri 64086, as a member of the Dam and Reservoir Safety Council, for a term ending April 3, 2007, and until his successor is duly appointed and qualified; vice, Zoretta Schoonover, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101
March 8, 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:

Michele S. Ohmes, Democrat, 14819 East 48th Street, Kansas City, Jackson County, Missouri 64136, as a member of the Elevator Safety Board, for a term ending June 6, 2010, and until her successor is duly appointed and qualified; vice, Clarence Foster, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101
March 8, 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:

Marvin O. Teer, Democrat, 4326 West Pine Boulevard, Saint Louis City, Missouri 63108, as a member of Lincoln University Board of Curators, for a term ending January 1, 2012, and until his successor is duly appointed and qualified; vice, Reuben Shelton, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 6, 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:

Sam Schneider, 1712 Bittersweet Circle, Lebanon, Laclede County, Missouri 65536, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2010, and until his successor is duly appointed and qualified; vice, Doug Randel, term expired.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101

March 8, 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:

Barbara K. Tiedt, 3735 East Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the State Lottery Commission, for a term ending September 9, 2007, and until her successor is duly appointed and qualified; vice, Mitchel Geisler, resigned.

Respectfully submitted,
MATT BLUNT

Also,

OFFICE OF THE GOVERNOR

State of Missouri
Jefferson City
65101
March 8, 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:

Wilson J. Winn, Republican, 8601 North Eastern Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Elevator Safety Board, for a term ending June 6, 2010, and until his

successor is duly appointed and qualified; vice, reappointed to a full term.

Respectfully submitted,
MATT BLUNT

President Pro Tem Gibbons referred the above addendums and appointments to the Committee on Gubernatorial Appointments.

THIRD READING OF SENATE BILLS

SB 644, introduced by Senator Shields, entitled:

An Act to repeal sections 163.011 and 167.231 and section 163.031, as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 287, ninety-third general assembly, first regular session, and to enact in lieu thereof three new sections relating to reductions in state aid for school districts with decreases in summer school attendance, with an emergency clause.

Was taken up.

On motion of Senator Shields, **SB 644** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Goodman—2

Vacancies—1

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	Dougherty	Engler
Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Vogel	Wheeler	Wilson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Goodman—2

Vacancies—1

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.

SB 830, with **SCS**, introduced by Senator Ridgeway, et al, entitled:

An Act to repeal sections 86.1110 and 86.1500, RSMo, and to enact in lieu thereof two new sections relating to police military leave.

Was called from the Consent Calendar and taken up.

SCS for **SB 830**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 830

An Act to repeal sections 86.1110, 86.1140, 86.1490, and 86.1500, RSMo, and to enact in lieu thereof four new sections relating to police military

leave.

Was taken up.

Senator Ridgeway moved that **SCS** for **SB 830** be adopted, which motion prevailed.

On motion of Senator Ridgeway, **SCS** for **SB 830** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Goodman—2

Vacancies—1

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 871, introduced by Senator Coleman, entitled:

An Act to repeal sections 86.252, 86.253, and 86.255, RSMo, and to enact in lieu thereof four new sections relating to police retirement.

Was called from the Consent Calendar and taken up.

Under the provisions of Senate Rule 91, Senator Wilson was excused from voting.

On motion of Senator Coleman, **SB 871** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Goodman—2

Excused from voting—Senator Wilson—1

Vacancies—1

The President declared the bill passed.

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.

SB 965, introduced by Senator Bartle, entitled:

An Act to repeal sections 190.350, 190.353, and 190.355, RSMo, and to enact in lieu thereof two new sections relating to poison control.

Was called from the Consent Calendar and taken up.

On motion of Senator Bartle, **SB 965** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Wilson—29

NAYS—Senators—None

Absent—Senators

Klindt Loudon—2

Absent with leave—Senators

Crowell Goodman—2

Vacancies—1

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.

SB 806, with **SCS**, introduced by Senator Gross, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the founding documents protection act.

Was called from the Consent Calendar and taken up.

SCS for **SB 806**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the founding documents protection act.

Was taken up.

Senator Gross moved that **SCS** for **SB 806** be

adopted, which motion failed.

SB 806 was taken up.

On motion of Senator Gross, **SB 806** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Goodman—2

Vacancies—1

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.

SB 990, introduced by Senator Vogel, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Wyman S. Basinger Memorial Highway.

Was called from the Consent Calendar and taken up.

On motion of Senator Vogel, **SB 990** was read the 3rd time and passed by the following vote:

YEAS—Senators

Alter	Barnitz	Bartle	Bray
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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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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.

SB 667, introduced by Senator Engler, **SB 704**, introduced by Senators Engler and Mayer, **SB 941**, introduced by Senator Clemens, **SB 956**, introduced by Senator Purgason, **SB 987**, introduced by Senator Green, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to the establishment of memorial highways.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to memorial bridge designations.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Corporal John A. “Jay” Sampietro, Jr., MO state highway patrol memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the

designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Trooper Ralph Tatoian memorial highway.

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

SCS for **SBs 667, 704, 941, 956** and **987**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 667, 704, 941,
956 and 987

An Act to repeal section 227.345, RSMo, and to enact in lieu thereof seven new sections relating to highway patrol member highway designations.

Was taken up.

Senator Engler moved that **SCS** for **SBs 667, 704, 941, 956** and **987** be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **SBs 667, 704, 941, 956** and **987** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—1

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.

SB 779, introduced by Senator Engler, entitled:

An Act to repeal sections 287.127 and 288.130, RSMo, and to enact in lieu thereof three new sections relating to labor posting requirements, with penalty provisions.

Was called from the Consent Calendar and taken up.

On motion of Senator Engler, **SB 779** was read the 3rd time and passed by the following vote:

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

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—1

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.

President Kinder assumed the Chair.

SB 735, introduced by Senator Crowell,

entitled:

An Act to repeal sections 287.480, 288.240, 537.690, and 595.036, RSMo, and to enact in lieu thereof four new sections relating to applications for review or appeal filed with the labor and industrial relations commission.

Was called from the Consent Calendar and taken up.

On motion of Senator Crowell, **SB 735** was read the 3rd time and passed by the following vote:

YEAS—Senators			
Alter	Barnitz	Bartle	Bray
Callahan	Cauthorn	Champion	Clemens
Coleman	Crowell	Days	Engler
Gibbons	Goodman	Graham	Green
Griesheimer	Gross	Kennedy	Koster
Loudon	Mayer	Nodler	Purgason
Ridgeway	Scott	Shields	Stouffer
Vogel	Wheeler	Wilson—31	

NAYS—Senators—None

Absent—Senators

Dougherty Klindt—2

Absent with leave—Senators—None

Vacancies—1

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.

SB 964, introduced by Senator Crowell, entitled:

An Act to repeal section 41.150, RSMo, and to enact in lieu thereof one new section relating to the appointment and duties of assistant adjutants general.

Was called from the Consent Calendar and

taken up.

On motion of Senator Crowell, **SB 964** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senator Klindt—1

Absent with leave—Senators—None

Vacancies—1

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.

Senator Koster assumed the Chair.

President Pro Tem Gibbons assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 1254**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Gibbons referred **SR 2363**, **SCR 31** and **SCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Graham introduced to the Senate, Hickman High School Wrestling Champions, Tony and K.C. Pescaglia, their parents, Bucky and Cyndi Pescaglia, grandparents, Beverly Pescaglia and Mr. and Mrs. John Hall, brother, Vince Pescaglia, and coach, J.D. Coffman, Columbia.

Senator Scott introduced to the Senate, Gary and Sheila McClanahan, Cedar Falls, Iowa.

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

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 14, 2006

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

HOUSE BILLS ON SECOND READING

HB 1118-Dempsey, et al	HCS for HB 1070
HB 983-Meadows, et al	HCS for HB 1078
HB 1427-Johnson (90), et al	HB 1310-Lipke, et al
HB 1035-Young (49), et al	HCS for HB 1232
HCS for HB 1138	HCS for HB 1153
HCS for HB 978	HB 1320-Lipke, et al
HCS for HB 1344	HCS for HB 1343
HB 1251-Guest, et al	HCS for HB 1357
HCS for HB 1168	HCS for HB 1366
HB 1204-Roorda, et al	HCS for HB 1367
HCS for HB 1742	HB 1424-Franz
HCS for HB 1456	

SENATE BILLS FOR PERFECTION

1. SB 938-Stouffer	12. SB 635-Cauthorn
2. SB 953-Engler, et al, with SCS	13. SB 817-Scott, et al
3. SBs 613, 1030 & 899-Engler and Crowell, with SCS	14. SB 892-Scott, with SCS
4. SBs 1031 & 846-Klindt, with SCS	15. SB 798-Nodler, with SCS
5. SB 718-Crowell and Mayer, with SCS	16. SB 778-Ridgeway, et al
6. SB 822-Gross	17. SB 1064-Stouffer, with SCS
7. SB 825-Koster, et al, with SCS	18. SB 617-Koster, with SCS
8. SB 616-Stouffer, with SCS	19. SB 1037-Mayer
9. SB 589-Bartle	20. SB 894-Nodler, et al, with SCS
10. SB 637-Cauthorn, et al, with SCS	21. SB 976-Gibbons, with SCS
11. SB 901-Shields	22. SB 1254-Shields, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 566-Dougherty, et al, with SCS	SB 689-Scott
SB 596-Days	SB 690-Champion, with SCS
SB 643-Scott	SB 780-Klindt
SB 646-Griesheimer, with SCS	SB 816-Griesheimer and Coleman, with SCS & SS for SCS (pending)
SBs 665 & 757-Engler, with SCS	SB 820-Koster, with SCS

SB 832-Griesheimer, with SCS
SRB 848-Bartle, with SCS
SB 849-Mayer, et al, with SS, SA 6 &
SA 1 to SA 6 (pending)

SBs 1014 & 730-Scott and Gibbons,
with SCS & SS for SCS (pending)
SJR 26-Ridgeway and Graham

CONSENT CALENDAR

Senate Bills

Reported 2/9

SB 760-Engler, with SCS

Reported 3/2

SB 1020-Vogel
SB 951-Cauthorn
SB 974-Shields
SB 1008-Klindt, with SCS

SB 834-Nodler
SB 947-Shields
SB 981-Goodman, et al

Reported 3/9

SB 870-Mayer, with SCS
SB 726-Bray
SB 931-Scott
SB 977-Bartle
SB 1026-Cauthorn, with SCS
SB 877-Kennedy and Bray, with SCS
SB 1016-Gross
SB 884-Callahan
SB 1002-Mayer, with SCS
SB 1056-Griesheimer
SB 968-Green, with SCS
SB 1080-Coleman
SB 1003-Mayer, with SCS#2
SB 756-Clemens, with SCS

SB 1004-Days
SB 785-Alter
SB 655-Nodler, with SCS
SB 769-Mayer, with SCS
SB 1139-Gibbons and Kennedy
SB 1109-Griesheimer, with SCS
SB 1059-Kennedy, with SCS
SB 1048-Shields, with SCS
SB 1039-Bray and Scott
SB 1027-Mayer, with SCS
SB 821-Griesheimer
SB 752-Graham
SB 697-Nodler

House Bills

Reported 3/9

HB 1688-Johnson (47), et al (Callahan)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 1014-Icet, with SCS (Gross)

RESOLUTIONS

Reported from Committee

SCR 24-Scott, with SCS

SCR 28-Days

SCR 30-Scott, with SCA 1

SCR 27-Crowell

SCR 29-Graham

To be Referred

SCR 33-Bray, et al

MISCELLANEOUS

REMONSTRANCE 1-Gross

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