

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 14, 2007

The Senate met pursuant to adjournment.

Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34		

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Absent—Senators—None

“Love one another with mutual affection...” (Romans 12:10a)

Absent with leave—Senators—None

Loving Lord, let us on this Valentine’s Day take serious the exhortation to express love to those who mean so much to us showing them how special they are to us. Let us show we care for our colleagues and staff in the way we interact with each other not just this special day but everyday in our appreciation of them and for what they do for and with us. In Your Holy Name we pray. Amen.

Vacancies—None

The Lieutenant Governor was present.

The Pledge of Allegiance to the Flag was recited.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 361, regarding the Ninetieth Birthday of Clara Ruth McCrary, Kidder, which was adopted.

A quorum being established, the Senate proceeded with its business.

Senator Champion offered Senate Resolution No. 362, regarding Taylor James Aiken, Springfield, which was adopted.

The Journal of the previous day was read and approved.

Senator Champion offered Senate Resolution No. 363, regarding Philip Laurent Clothiaux, Rogersville, which was adopted.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan
Champion	Clemens	Coleman	Crowell
Days	Engler	Gibbons	Goodman
Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler

Senator Lager offered Senate Resolution No. 364, regarding the Forty-eighth Wedding Anniversary of Mr. and Mrs. Kenneth Smith, Allendale, which was adopted.

Senator Lager offered Senate Resolution No. 365, regarding the Fiftieth Wedding

Anniversary of Mr. and Mrs. Bob Holland, Brookfield, which was adopted.

Senator Shields offered Senate Resolution No. 366, regarding Isaac David Zeilinger, Kansas City, which was adopted.

Senator Shields offered Senate Resolution No. 367, regarding Travis Wayne Cash, Kansas City, which was adopted.

Senator Shields offered Senate Resolution No. 368, regarding Grant Richard Sampson, Kansas City, which was adopted.

Senator Shields offered Senate Resolution No. 369, regarding James Edward Leach, Kansas City, which was adopted.

Senator Shields offered Senate Resolution No. 370, regarding Ryan Daniel Harris, Parkville, which was adopted.

Senator Shields offered Senate Resolution No. 371, regarding Austin Connor Cade, Parkville, which was adopted.

Senator Lager offered Senate Resolution No. 372, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Hubert Seipel, Maryville, which was adopted.

Senator Loudon offered Senate Resolution No. 373, regarding Stephen E. Frank, which was adopted.

Senator Loudon offered Senate Resolution No. 374, regarding Paul Joseph Fields, which was adopted.

Senators Gibbons and Days offered Senate Resolution No. 375, regarding the Missouri Coalition of Minority and Women Business Owners, which was adopted.

Senator Days offered Senate Resolution No. 376, regarding the Eighty-eighth Birthday of Ethel Lee Griffin Johnson, University City, which was adopted.

Senators Days, Coleman and Smith offered Senate Resolution No. 377, regarding the One

Hundredth Birthday of Josephine Waddy Dismuke, St. Louis, which was adopted.

Senator Nodler offered Senate Resolution No. 378, regarding Images in Tile, LLC, Joplin, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 379, regarding Lindbergh Investments, LLC, St. Louis County, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 380, regarding Jennifer Miller Bell, St. Louis County, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 381, regarding Mr. and Mrs. Ray Simone, Crestwood, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 382, regarding Jane M. Pesek, St. Louis County, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 383, regarding Tom Brady, Saint Louis County, which was adopted.

Senators Gibbons and Kennedy offered Senate Resolution No. 384, regarding Rob Gion, Jr., which was adopted.

Senator Ridgeway offered Senate Resolution No. 385, regarding OsteoGeneX Incorporated, Kansas City, which was adopted.

INTRODUCTION OF BILLS

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

SB 504—By Koster.

An Act to amend chapter 261, RSMo, by adding thereto five new sections relating to sustainable agriculture and local foods.

SB 505—By Koster.

An Act to amend chapters 379 and 537, RSMo, by adding thereto two new sections relating to the assignment of comparative fault for

operating a motorcycle.

SB 506—By Smith, Bray and Green.

An Act to repeal sections 409.1-102, 409.2-202, 409.3-304, 409.4-401, 409.4-404, 409.4-408, 409.4-412, 409.5-501, 409.6-604, and 409.6-607, RSMo, and to enact in lieu thereof ten new sections relating to the Missouri securities act.

SB 507—By Green.

An Act to amend chapter 407, RSMo, by adding thereto three new sections relating to consumer credit reports.

SB 508—By Green.

An Act to amend chapter 313, RSMo, by adding thereto one new section relating to prohibited acts of the Missouri gaming commission.

SB 509—By Scott.

An Act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

SB 510—By Scott.

An Act to repeal sections 214.275 and 214.340, RSMo, and to enact in lieu thereof two new sections relating to cemeteries.

SB 511—By Scott, Clemens, Shoemyer, Bartle, Gibbons, Mayer, Kennedy, McKenna, Purgason, Bray and Graham.

An Act to repeal sections 195.070 and 195.100, RSMo, and to enact in lieu thereof two new sections relating to advanced practice registered nurses.

SB 512—By Bray.

An Act to repeal sections 383.015, 383.016, 383.020, 383.035, and 383.206, RSMo, and to enact in lieu thereof six new sections relating to medical malpractice insurance.

SJR 22—By Koster.

Joint Resolution submitting to the qualified

voters of Missouri, an amendment repealing section 7 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to tax relief for local economic development purposes.

SENATE BILLS FOR PERFECTION

Senator Nodler moved that **SB 389**, with **SCS**, **SS** for **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Nodler, **SS** for **SCS** for **SB 389** was withdrawn.

Senator Nodler offered **SS No. 2** for **SCS** for **SB 389**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 389

An Act to repeal sections 160.254, 173.005, 173.200, 173.203, 173.205, 173.210, 173.215, 173.220, 173.225, 173.230, 173.616, 173.810, 173.813, 173.816, 173.820, 173.825, 173.827, 173.830, and 313.835, RSMo, and to enact in lieu thereof eighteen new sections relating to higher education, with penalty provisions and an emergency clause.

Senator Nodler moved that **SS No. 2** for **SCS** for **SB 389** be adopted.

At the request of Senator Nodler, **SB 389**, with **SCS** and **SS No. 2** for **SCS** (pending) was placed on the Informal Calendar.

Senator Griesheimer moved that **SB 284**, with **SCS**, **SS** for **SCS**, **SA 5** and **SA 4** to **SA 5** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 4 to **SA 5** was again taken up.

At the request of Senator Graham, the above amendment was withdrawn.

SA 5 was again taken up.

Senator Koster assumed the Chair.

Senator Bray moved that SA 5 be adopted, which motion prevailed.

Senator Bray offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Pages 15-16, Section 67.2692, by striking all of said section and inserting in lieu thereof the following:

“67.2692. 1. For purposes of this section, the following terms shall mean:

(1) **“Normal business hours”**, those hours during which most similar businesses in the community are open to serve customers. In all cases the term normal business hours must include some evening hours at least one night per or some weekend hours;

(2) **“Normal operating conditions”** those service conditions which are within the control of the video service provider. Those conditions which are not within the control of the video service provider include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the video service provider include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the video system;

(3) **“Service interruption”**, the loss of picture or sound on one or more video channels;

2. Upon ninety days notice, a franchise entity may require a video service provider to adopt the following customer service requirements:

(1) The video service provider will maintain a local, toll-free or collect call telephone access

line which may be available to its subscribers twenty-four hours a day, seven days a week;

(2) The video service provider shall have trained company representatives available to respond to customer telephone inquiries during normal business hours;

(3) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours shall be responded to, by a trained company representative, on the next business day;

(4) Under normal operating conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty seconds. These standards shall be met no less than ninety percent of the time under normal operating conditions, measured on a quarterly basis.

(5) The operator will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards provided under subdivisions 1-4 of this subsection, unless a historical record of complaints indicates a clear failure to comply;

(6) Under normal operating conditions, the customer will receive a busy signal less than three percent of the time;

(7) Customer service center and bill payment locations shall be open at least during normal business hours and shall be conveniently located;

(8) Under normal operating conditions, each of the following four standards shall be met no less than ninety-five percent of the time measured on a quarterly basis:

(a) Standard installations shall be

performed within seven business days after an order has been placed. “Standard” installation are those that are located up to one hundred and twenty-five feet from the existing distribution system;

(b) Excluding conditions beyond the control of the operator, the video service provider shall begin working on “service interruptions” promptly and in no event later than twenty-four hours after the interruption becomes known. The video service provider must begin actions to correct other service problems the next business day after notification of the service problem.

(c) The “appointment window” alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four-hour time block during normal business hours. The operator may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer;

(d) If a video service provider's representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer be contacted. The appointment shall be rescheduled, as necessary, at a time which is convenient for the customer;

(9) Refund checks shall be issued promptly, but no later than either:

(a) The customer's next billing cycle following resolution of the request or thirty days, which ever is earlier, or

(b) The return of the equipment supplied by the video service provider if the service is terminated.

(10) Credits for service shall be issued no later than the customer's next billing cycle following the determination that a credit is warranted.

3. An agency of the state of Missouri shall not have the power to enact or adopt customer service requirements specifically applicable to the provision of video service.

4. A video service provider shall implement an informal process for handling inquiries from franchise entities and customers concerning billing issues, service issues, and other complaints. In the event an issue is not resolved through this informal process, a franchising entity may request a confidential non-binding mediation with the video service provider, with the costs of such mediation to be shared equally between the franchising entity and the video service provider.

5. Each video service provider shall maintain a local or toll free telephone number for customer service contact.

6. (1) In the case of repeated, willful, and material violations of the provisions of this section, by a video service provider, a franchise entity may file a complaint on behalf of a resident harmed by such violations with the administrative hearing commission seeking an order revoking the video service provider's franchise for that political subdivision. A franchise entity or a video service provider may appeal any determination made by the administrative hearing commission under this section to a court of competent jurisdiction, which shall have the power to review the decision de novo.

(2) No franchise entity shall file a complaint seeking revocation unless the video service provider has been given sixty days notice by the franchise entity to cure alleged breaches, but has failed to do so.”.

Senator Bray moved that the above amendment be adopted.

Senator Shields announced that photographers from the Daily Journal were given permission to take pictures in the Senate Chamber today.

Senator Callahan offered **SSA 1** for **SA 6**:

**SENATE SUBSTITUTE AMENDMENT NO. 1
FOR SENATE AMENDMENT NO. 6**

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Page 8, Section 67.2679, Line 9 of said page, by inserting immediately after “service.” the following: **“A person seeking to commence providing video service shall demonstrate that it has a process for handling inquiries from franchise entities and customers concerning billing issues, service issues, and other unresolved complaints prior to the public service commission granting a video service authorization to such person.”**; and

Further amend said bill and section, page 9, line 8 of said page, by striking the word “and”; and further amend line 10 of said page, by inserting immediately after the word “service” the following: **“; and**

(7) That the video service provider shall implement the process described in its application for handling inquiries from franchise entities and customers concerning billing issues, service issues, and other unresolved complaints within ninety days of receipt of a video authorization”; and

Further amend said bill, pages 15-16, section 67.2692, by striking all of said section and inserting in lieu thereof the following:

“67.2692. 1. For purposes of this section, the following terms shall mean:

(1) “Normal business hours”, those hours during which most similar businesses in the community are open to serve customers. In all cases the term normal business hours must include some evening hours at least one night per or some weekend hours;

(2) “Normal operating conditions” those service conditions which are within the control of the video service provider. Those conditions

which are not within the control of the video service provider include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the video service provider include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the video system;

(3) “Service interruption”, the loss of picture or sound on one or more video channels;

2. Upon ninety days notice, a franchise entity may require a video service provider to adopt the following customer service requirements:

(1) The video service provider will maintain a local, toll-free or collect call telephone access line which may be available to its subscribers twenty-four hours a day, seven days a week;

(2) The video service provider shall have trained company representatives available to respond to customer telephone inquiries during normal business hours;

(3) After normal business hours, the access line may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours shall be responded to, by a trained company representative, on the next business day;

(4) Under normal operating conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty seconds. These standards shall be met no less than ninety percent of the time under normal operating conditions, measured on a quarterly basis.

(5) The operator shall not be required to

acquire equipment or perform surveys to measure compliance with the telephone answering standards provided under subdivisions 1-4 of this subsection, unless a historical record of complaints indicates a clear failure to comply;

(6) Under normal operating conditions, the customer will receive a busy signal less than three percent of the time;

(7) Customer service center and bill payment locations shall be open at least during normal business hours and shall be conveniently located;

(8) Under normal operating conditions, each of the following four standards shall be met no less than ninety-five percent of the time measured on a quarterly basis:

(a) Standard installations shall be performed within seven business days after an order has been placed. Standard installations are those that are located up to one hundred and twenty-five feet from the existing distribution system;

(b) Excluding conditions beyond the control of the operator, the video service provider shall begin working on “service interruptions” promptly and in no event later than twenty-four hours after the interruption becomes known. The video service provider shall begin actions to correct other service problems the next business day after notification of the service problem.

(c) The “appointment window” alternatives for installations, service calls, and other installation activities shall be either a specific time or, at maximum, a four-hour time block during normal business hours. The operator may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer;

(d) If a video service provider's representative is running late for an appointment with a customer and will not be

able to keep the appointment as scheduled, the customer shall be contacted. The appointment shall be rescheduled, as necessary, at a time which is convenient for the customer;

(9) Refund checks shall be issued promptly, but no later than either:

(a) The customer's next billing cycle following resolution of the request or thirty days, which ever is earlier, or

(b) The return of the equipment supplied by the video service provider if the service is terminated.

(10) Credits for service shall be issued no later than the customer's next billing cycle following the determination that a credit is warranted.

3. A video service provider shall implement an informal process for handling inquiries from franchise entities and customers concerning billing issues, service issues, and other complaints. In the event an issue is not resolved through this informal process, a franchising entity may request a confidential non-binding mediation with the video service provider, with the costs of such mediation to be shared equally between the franchising entity and the video service provider.

4. Each video service provider shall maintain a local or toll free telephone number for customer service contact.

5. (1) In the case of repeated, willful, and material violations of the provisions of this section by a video service provider, a franchise entity may file a complaint on behalf of a resident harmed by such violations with the public service commission seeking an order revoking the video service provider's franchise for that political subdivision. A franchise entity or a video service provider may appeal any determination made by the public service commission under this section to a court of competent jurisdiction, which shall have the

power to review the decision de novo.

(2) No franchise entity shall file a complaint seeking revocation unless the video service provider has been given sixty days notice by the franchise entity to cure alleged breaches, but has failed to do so.

6. (1) Any customer of a video service provider who loses service for more than six hours in any twenty-four-hour period shall be entitled to a discount on the customer's bill in the amount of ten dollars for that billing period.

(2) Any customer of a video service provider who loses service for more than twelve hours in any twenty-four-hour period shall be entitled to a discount on the customer's bill in the amount of twenty dollars for that billing period.

(3) Any customer of a video service provider who loses service for more than twenty-four hours in any billing period shall be entitled to a discount on the customer's bill in the amount of forty dollars for such billing period.

(4) Any customer of a video service provider who loses service for more than forty-eight hours in any billing period shall be entitled to a discount on the customer's bill of one hundred dollars for such billing period.

(5) Any customer of a video service provider who loses service for more than seventy-two hours in any billing period shall be entitled to a discount on the customer's bill of two hundred dollars for such billing period.

(6) The discounts due to a customer under this subsection shall not apply to any customer who has lost service due to the fault of that customer.

(7) Each video service provider shall provide annually a notice to customers explaining customers' rights under this section. The notice shall contain the name, address, and

telephone number of a person assigned by the video service provider to contact for customers who believe they are entitled to a discount under this section.

(8) Either the public service commission or the political subdivision providing the franchise to the video service provider shall periodically audit the bills to ensure that video service providers are providing the discounts required in this subsection to customers.”; and

Further amend said bill, page 27, section 67.2711, by striking all of said section and inserting in lieu thereof the following:

“67.2711. 1. If a franchise entity or customer makes a complaint to the public service commission regarding noncompliance or violation of the provisions of sections 67.2675 to 67.2714, the public service commission shall provide written notice to the video service provider of the alleged noncompliance or violation. A video service provider shall have ninety days from receipt of such written notice to cure such violation or become compliant. In the event the alleged noncompliance or violation is not resolved through such process, a franchise entity or customer may petition the public service commission for mediation or resolution of the dispute.

2. The public service commission shall promulgate rules necessary to resolve disputes on behalf of franchise entities and customers regarding noncompliance or violations of the provisions of sections 67.2675 to 67.2714. The public service commission shall have the authority to resolve disputes, hold hearings, and take evidence on issues presented alleging noncompliance or violations of sections 67.2675 to 67.2714. Any interested party may appeal a decision of the public service commission to a circuit court with proper venue either where the cause of action accrued or where the public service commission held the hearing.

3. Any video service provider who is found by an appropriate court to have violated the customer service standards required by this section shall state such fact on each bill provided to the video service provider's customers for a period of one year following the judgment from the court.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”.

Senator Callahan moved that the above substitute amendment be adopted, and requested a roll call vote be taken. He was joined in his request by Senators Justus, Days, Coleman and Bray.

SSA 1 for SA 6 failed of adoption by the following vote:

YEAS—Senator Callahan—1

NAYS—Senators

Bartle	Bray	Coleman	Crowell
Engler	Gibbons	Goodman	Green
Griesheimer	Gross	Justus	Kennedy
Koster	Lager	Mayer	McKenna
Nodler	Purgason	Ridgeway	Rupp
Scott	Shields	Shoemyer	Smith
Stouffer	Vogel	Wilson—27	

Absent—Senators

Barnitz	Champion	Clemens	Days
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Graham Loudon—6

Absent with leave—Senators—None

Vacancies—None

SA 6 was again taken up.

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

Senator Callahan offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Page 28, Section 67.2715, Line 4, by inserting immediately after all of said line the following: “**Section 1. Provisions of section 67.2703 to the contrary notwithstanding, the obligation of an incumbent cable operator to provide any institutional network or equivalent capacity contained in a franchise existing on the effective date of sections 67.2675 to 67.2714 shall continue until January 1, 2012.**”; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Griesheimer, **SB 284**, with **SCS, SS** for **SCS** and **SA 7** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Bray, joined by the entire membership offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 386

Whereas, the members of the Missouri Senate are deeply saddened by the death of one of its former members and president, Harriett Woods, on Thursday, February 8, 2007; and

Whereas, a Memorial Service will be held on Saturday, February 17, at Powell Symphony Hall in St. Louis, which is

altogether fitting considering Harriett Woods' passion for classical music and the countless hours of pleasure she spent there with her children and grandchildren, listening to the Saint Louis Symphony; and

Whereas, Harriett Woods was the first woman elected to a statewide office in Missouri's history, and the first woman to serve on the State Highway Commission; and

Whereas, Harriett Woods had a reputation as an activist who championed efforts to protect society's most vulnerable, the elderly, minorities, and homeless, to name a few, and she also was known for the work she did to advance other women politicians, and in this respect she can accurately be described as a pioneer; and

Whereas, Harriett Woods served in the Missouri Senate for eight years, immediately prior to becoming Missouri's Lieutenant Governor in 1984 and having served eight years on the University City (Missouri) Council; and

Whereas, Harriett Woods was a former Fellow of the Institute of Politics at the John F. Kennedy School of Government at Harvard University, an Old Master at Purdue University, holder of the Mary Louise Smith Chair for Women in Politics at Iowa State University, and a participant in the Oxford Round Table at Oxford University, in Oxford, England, and in 1994, she was named by President Clinton as a delegate to the Fourth World Conference on Women, in Vienna, Austria; and

Whereas, born in Cleveland, Ohio, and a graduate of the University of Michigan with a degree in philosophy, Harriett Woods worked for years as a reporter at the St. Louis Globe Democrat and then as a moderator and public affairs director for KPLR-TV in St. Louis before entering into politics; and

Whereas, Harriett Woods served on the board of the Sue Shear Institute for Women in Public Life in St. Louis and Bella Abzug Institute for Women in Public Life in New York City; and she also lectured widely around the country and recorded monthly commentaries for KWMU, the National Public Radio Station in St. Louis; and

Whereas, Harriett Woods was the wife of James B. Woods, now deceased, and the mother of three sons - Christopher, Peter and Andrew - and nine grandchildren; and

Whereas, in her never-ending quest to find effective solutions to existing problems, Harriett Woods, a fierce competitor, both on and off the tennis court, always believed in the importance of reaching out to all sectors by working together with others and educating citizens about the role they must play to help make this world a better place for everyone:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-fourth General Assembly, extend our sincerest condolences to the family of Harriett Woods on this sad

occasion and acknowledge the service that Harriett Woods gave to this great state; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to the family of Harriett Woods, former Missouri State Senator and Lieutenant Governor.

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 Shields.

REPORTS OF STANDING COMMITTEES

Senator Gibbons, on behalf of 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, after examination of **SB 21**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 311**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 79**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 4**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 244**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 315**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

REFERRALS

President Pro Tem Gibbons referred **SCR 15**, **SCR 16**, **SCR 17** and **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Ridgeway offered Senate Resolution No. 387, regarding Will David Morris, Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 388, regarding Shaun Andrew Robinson, Liberty, which was adopted.

Senator Graham offered Senate Resolution No. 389, regarding the Moberly Area Community College Alumni Museum, which was adopted.

COMMUNICATIONS

President Pro Tem Gibbons submitted the following hearing schedule:

SENATE HEARING SCHEDULE
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
Effective February 19, 2007

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Gross)	Appropriations SCR 2 (Gross) Transportation SCR 1 (Stouffer)	
8:15 a.m.		Seniors, Families and Public Health SCR 1 (Champion)		
8:30 a.m.			Gubernatorial Appointments SL (Gibbons)	Commerce, Energy and the Environment SL (Engler) Governmental Accountability and Fiscal Oversight SCR 1 (Goodman)
12:00 p.m.		Health and Mental Health SL (Purgason) Small Business, Insurance and Industrial Relations SCR 1 (Loudon)	Pensions, Veterans' Affairs and General Laws SL (Crowell) Rules, Joint Rules, Resolutions and Ethics SCR 1 (Shields)	
12:30 p.m.	Appropriations SCR 2 (Gross)			
1:30 p.m.		Agriculture, Conservation, Parks and Natural Resources SL (Clemens)	Economic Development, Tourism and Local Government SL (Griesheimer) Education SCR 1 (Nodler)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Scott) Ways and Means SCR 1 (Vogel)			
6:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Bartle)			

SL - Senate Lounge SCR 1 - Senate Committee Rm. 1, Room 118

SCR 2 - Senate Committee Rm. 2, Room 119

SECOND READING OF SENATE BILLS

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

SB 487—Economic Development, Tourism and Local Government.

SB 488—Agriculture, Conservation, Parks and Natural Resources.

SB 489—Agriculture, Conservation, Parks and Natural Resources.

SB 490—Seniors, Families and Public Health.

SB 491—Judiciary and Civil and Criminal Jurisprudence.

SB 492—Pensions, Veterans' Affairs and General Laws.

SB 493—Judiciary and Civil and Criminal Jurisprudence.

SB 494—Judiciary and Civil and Criminal Jurisprudence.

SB 495—Judiciary and Civil and Criminal Jurisprudence.

SB 496—Seniors, Families and Public Health.

SB 497—Economic Development, Tourism and Local Government.

SB 498—Financial and Governmental Organizations and Elections.

SB 499—Agriculture, Conservation, Parks and Natural Resources.

SB 500—Small Business, Insurance and Industrial Relations.

SB 501—Ways and Means.

SB 502—Economic Development, Tourism and Local Government.

SB 503—Ways and Means.

SJR 21—Financial and Governmental Organizations and Elections.

INTRODUCTIONS OF GUESTS

Senator Nodler introduced to the Senate, thirty Dental Hygiene Students from Missouri Southern State University, Joplin.

Senator Griesheimer introduced to the Senate, Greg Kinder, Florissant; and Mike Silva, Eureka.

Senator Bray introduced to the Senate, the Physician of the Day, Dr. Joel Picus, M.D., Des Peres.

Senator Scott introduced to the Senate, Barba Parrish, Kyle Buzzard, Jo Davis, Hailey Robertson, Melanie Morey, Deborah Merrifield, Lorraine Potter, Ben Garfield, Shalane Peacock, Diahn Gastel, Adam Twenter, Scott Nolting, teachers and students from Lamar Area Vocational Technical School.

Senator Gross introduced to the Senate, Lou Brock and his wife, Reverend Jacqueline Brock, St. Charles.

Senator Scott introduced to the Senate, Kerry Rose, and Joe and Wes Meadows, Liberal.

Senator Scott introduced to the Senate, Taryn Clark, Jenna Moon, Amber Ballard, Jessica Schlup, Jennifer Denham and Renee Fiquet Freeman, Dental Hygiene Students from State Fair Community College, Sedalia.

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

SENATE CALENDAR

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 15, 2007

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 504-Koster	SB 509-Scott
SB 505-Koster	SB 510-Scott
SB 506-Smith, et al	SB 511-Scott, et al
SB 507-Green	SB 512-Bray
SB 508-Green	SJR 22-Koster

HOUSE BILLS ON SECOND READING

HB 353-Schaaf, et al	HB 454-Jetton, et al
HCS for HB 300	HB 352-Hobbs, et al
HCS for HB 453	

SENATE BILLS FOR PERFECTION

SBs 49, 65, 210 & 251-Engler, et al, with SCS	SB 384-Coleman and Gibbons, with SCS
SB 287-Crowell and Vogel	SB 129-Stouffer and Crowell, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 27-Bartle and Koster	SB 284-Griesheimer, et al, with SCS, SS for SCS & SA 7 (pending)
SB 46-Mayer, et al, with SCS	SB 339-Mayer, with SCS
SB 107-Wilson	SB 389-Nodler, et al, with SCS & SS#2 for SCS (pending)
SB 161-Shields, with SCS	
SBs 255, 249 & 279-Loudon, with SCS	

CONSENT CALENDAR

Senate Bills

Reported 2/1

SB 81-Griesheimer
SB 115-Scott, with SCS
SB 152-Engler
SB 25-Champion

SB 84-Champion
SB 52-Stouffer, with SCS
SB 232-Crowell, with SCS
SB 19-Shields

Unofficial

Reported 2/8

SB 420-Gibbons, et al, with SCS
SB 211-Goodman
SB 264-Green
SB 288-Engler, with SCS
SB 298-Engler
SB 322-Engler
SB 163-Mayer, with SCS
SB 198-Mayer, with SCS
SB 127-Mayer
SB 401-Crowell
SB 402-Crowell

SB 403-Crowell
SB 404-Crowell
SB 406-Crowell
SB 130-Stouffer
SB 238-Stouffer
SB 240-Stouffer
SB 226-Stouffer, with SCS
SB 104-Stouffer, with SCS
SB 103-Stouffer, with SCS
SB 102-Stouffer
SB 91-Nodler, with SCS

Journal

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RESOLUTIONS

Reported from Committee

SCR 5-Shields, with SCS

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