

# Journal of the Senate

SECOND REGULAR SESSION

---

**ELEVENTH DAY—TUESDAY, JANUARY 29, 2008**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And this is my prayer, that your love may overflow more and more with knowledge and full insight to help you to determine what is best...” (Philipians 1:9-10a)

Almighty God, we know that often our bills reflect what we see needs correction and prevention but we pray that Your love of us and ours for You may be found as the motivating principle and inherent in what we write and pass. We seek the partnership we have as we strive to do the good work You require of us and pray it always produces the very best we have to offer. 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.

Senator Griesheimer assumed the Chair.

The Journal of the previous day was read and approved.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Coleman	Crowell
Days	Dempsey	Engler	Gibbons	Goodman	Graham	Green	Griesheimer
Justus	Kennedy	Koster	Lager	Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer	Vogel

Wilson—33

Absent—Senators—None

Absent with leave—Senator Loudon—1

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Coleman moved that **SR 1515** be taken up for adoption, which motion prevailed.

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

### SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 1515, as it appears in the Senate Journal for January 15, 2008, Page 87, Line 37 of said journal page, by striking “two-thirds” and inserting in lieu thereof the following: “**three-fifths**”; and

Further amend said resolution, page 88, Line 3 of said journal page, by striking “two-thirds” and inserting in lieu thereof the following: “**three-fifths**”.

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

Senator Coleman moved that **SR 1515**, as amended, be adopted, which motion failed by the following vote:

#### YEAS—Senators

Barnitz	Bray	Callahan	Coleman	Days	Graham	Green	Justus
Kennedy	Koster	McKenna	Shoemyer	Smith	Wilson—14		

#### NAYS—Senators

Bartle	Champion	Clemens	Dempsey	Engler	Gibbons	Goodman	Griesheimer
Lager	Mayer	Nodler	Purgason	Ridgeway	Rupp	Scott	Shields
Stouffer	Vogel—18						

Absent—Senators—None

Absent with leave—Senators

Crowell	Loudon—2
---------	----------

Vacancies—None

## CONCURRENT RESOLUTIONS

Senator Mayer offered the following concurrent resolution:

### SENATE CONCURRENT RESOLUTION NO. 29

WHEREAS, the United States Department of Agriculture's National Agricultural Statistics Service collects and publishes information on the prices and inventories of rice; and

WHEREAS, this information is used for estimations of farm income and determinations of government program payments to farmers; and

WHEREAS, it is essential to the rice industry that the estimations of farm income and determinations of government program payments more accurately reflect the current market prices and stocks of rice:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request that the United States Department of Agriculture's National Agricultural Statistics Service add the dates of June 1 and September 1 as additional reporting dates to the "Agricultural Statistics Board" calendar to more accurately reflect prices and stocks; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this

resolution for the United States Secretary of Agriculture, the United States Department of Agriculture's National Agriculture Statistics Service, and to each member of Missouri's Congressional delegation.

### **INTRODUCTION OF BILLS**

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

**SB 1039**—By Clemens.

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency service boards.

**SB 1040**—By Clemens.

An Act to repeal section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to storm water control assistance, with a contingent effective date.

**SB 1041**—By Green.

An Act to repeal section 386.756, RSMo, and to enact in lieu thereof one new section relating to heating, ventilation, and air conditioning (HVAC) services.

**SB 1042**—By McKenna, Callahan, Green, Engler and Barnitz.

An Act to repeal sections 169.070 and 169.670, RSMo, and to enact in lieu thereof two new sections relating to teacher and school employee retirement systems.

**SB 1043**—By Ridgeway.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to mandatory health insurance coverage for certain out-of-network chiropractic services.

**SB 1044**—By Stouffer.

An Act to repeal section 190.094, RSMo, and to enact in lieu thereof one new section relating to ambulance staffing.

**SB 1045**—By Dempsey.

An Act to repeal section 1.205, RSMo, and to enact in lieu thereof one new section relating to unborn children.

**SB 1046**—By Mayer.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to employment at-will.

**SB 1047**—By Vogel, Days and Gibbons.

An Act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to state funding for elementary and secondary education.

**SJR 45**—By Clemens.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 37 (h) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to storm water control assistance.

### **SECOND READING OF 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.

President Pro Tem Gibbons assumed the Chair.

### **SIGNING OF BILLS**

The President Pro Tem announced that all other business would be suspended and **HB 2015**, **HB 2021** and **HB 2022**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

### **RESOLUTIONS**

Senator Mayer offered Senate Resolution No. 1609, regarding Josh Resinger, Shook, which was adopted.

Senator Barnitz offered Senate Resolution No. 1610, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Lloyd Glenn, Rolla, which was adopted.

Senator Barnitz offered Senate Resolution No. 1611, regarding the Missouri University of Science and Technology, Rolla, which was adopted.

Senator Bartle offered Senate Resolution No. 1612, regarding Lytmos Group, LLC, Lee's Summit, which was adopted.

Senator Goodman offered Senate Resolution No. 1613, regarding the Pierce City R-VI School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1614, regarding the Shell Knob School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1615, regarding the Reeds Spring R-IV School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1616, regarding the Mt. Vernon R-V School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1617, regarding the Monett R-I School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1618, regarding the Aurora R-VIII School District,

which was adopted.

Senator Goodman offered Senate Resolution No. 1619, regarding the Branson R-IV School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1620, regarding the Hurley R-I School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1621, regarding the Marionville R-IX School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1622, regarding the Gainesville R-V School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1623, regarding the Kirbyville R-VI School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1624, regarding the Taneyville R-II School District, which was adopted.

Senator Goodman offered Senate Resolution No. 1625, regarding the Thornfield R-I School District, which was adopted.

Senator Crowell offered Senate Resolution No. 1626, regarding Lang Jewelers, which was adopted.

### **INTRODUCTIONS OF GUESTS**

Senator McKenna introduced to the Senate, Jeff Ryan, Pacific; Kelly Shackelford, Mary Cooley and Ken Hollingshead, Arnold.

Senator Days introduced to the Senate, Jorge Riopedre, University City.

Senator Rupp introduced to the Senate, Greg Roeback and Karl Wilson, Wentzville.

Senator Kennedy introduced to the Senate, Gayle Brannan, Jefferson City.

Senator Champion introduced to the Senate, Scott Burns and Cindy Boyd, Washington, D.C.

Senator Wilson introduced to the Senate, Barrett Hatches, Kansas City.

Senator Clemens introduced to the Senate, John Askew and Kris Lancaster, Kansas City.

Senator Bray introduced to the Senate, Dave Grossman, Jamie Kelley, Kari Shepker-Mueller, and students Scott Luntree and Erin Goodenough, Maplewood-Richmond Heights Middle School.

On behalf of Senator Griesheimer, the President introduced to the Senate, the Physician of the Day, Dr. Thomas A. Davis, M.D., Wildwood.

Senator Stouffer introduced to the Senate, Nellie Ogan, Higginsville; Bonnie Seward, Tanya McBee and Mary Martens, Richmond.

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

SENATE CALENDAR



TWELFTH DAY—WEDNESDAY, JANUARY 30, 2008



FORMAL CALENDAR

SECOND READING OF SENATE BILLS

- |                            |                        |
|----------------------------|------------------------|
| SB 1024-Scott              | SB 1037-Shields        |
| SB 1025-Scott              | SB 1038-Shields        |
| SB 1026-Scott              | SB 1039-Clemens        |
| SB 1027-Smith              | SB 1040-Clemens        |
| SB 1028-Justus             | SB 1041-Green          |
| SB 1029-Rupp               | SB 1042-McKenna, et al |
| SB 1030-Rupp               | SB 1043-Ridgeway       |
| SB 1031-Koster, et al      | SB 1044-Stouffer       |
| SB 1032-Dempsey            | SB 1045-Dempsey        |
| SB 1033-Griesheimer        | SB 1046-Mayer          |
| SB 1034-Mayer              | SB 1047-Vogel, et al   |
| SB 1035-Scott              | SJR 45-Clemens         |
| SB 1036-Coleman and Engler |                        |

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 29-Mayer

