

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 26, 2008

The Senate met pursuant to adjournment.

Senator Griesheimer in the Chair.

Reverend Carl Gauck offered the following prayer:

“Behold, you have made my days a few handbreadths, and my lifetime is as nothing in your sight. Surely every man stands as a mere breath.” (Psalm 39:5)

O God, our lives are short and finite in comparison to Yours so teach us to value our limited time and see the precious gift we have been given so we may use it for the benefit of others and the glory of Your Holy Name. May our efforts be a blessing and our trust ever in You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Senator Shields announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber today.

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	Loudon	Mayer	McKenna	Nodler
Purgason	Ridgeway	Rupp	Scott	Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 1945, regarding Whitney and Day Kerr, Kansas City, which was adopted.

Senator Engler offered Senate Resolution No. 1946, regarding Jackie Berry, which was adopted.

Senator Kennedy offered Senate Resolution No. 1947, regarding the Ninetieth Birthday of Arthur R. Smith, which was adopted.

Senator Gibbons offered Senate Resolution No. 1948, regarding March of Dimes volunteers, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1949, regarding Tamara Cash, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1950, regarding Elizabeth Cruz, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1951, regarding Stacey Elliot, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1952, regarding Carrie Hottel, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1953, regarding Stephanie Hull, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1954, regarding Elsie Lee, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1955, regarding Sarah Sportsman, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1956, regarding Jessica Tasetano, which was adopted.

Senator Crowell offered Senate Resolution No. 1957, regarding the One Hundred First Birthday of Eula Lee Niswonger, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 1958, regarding Nicholas James Narsh, Clarkson Valley, which was adopted.

INTRODUCTION OF BILLS

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

SB 1186—By Engler.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to immigration.

SB 1187—By Purgason.

An Act to repeal section 306.228, RSMo, and to enact in lieu thereof one new section relating to the number of uniformed members of the Missouri state water patrol.

SENATE BILLS FOR PERFECTION

Senator Stouffer moved that **SB 759**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 759**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 759

An Act to repeal section 414.255, RSMo, and to enact in lieu thereof one new section relating to biodiesel, with penalty provisions.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 759** be adopted.

Senator Crowell assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 759, Page 6, Section 414.255, Line 196, by inserting after all of said line the following:

“16. All biodiesel producers with in-state production facilities that are receiving any state assistance shall offer for sale at least fifty percent of their production to position holders at in-state qualified terminals or terminals.”

Senator Bartle moved that the above amendment be adopted.

At the request of Senator Stouffer, **SB 759**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Shields, the Senate recessed until 3:30 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 781**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Goodman, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 711**, begs leave to report that it has considered the same and recommends that the bill do pass.

INTRODUCTION OF BILLS

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

SB 1188—By Shields, Bray, Loudon, Engler, Kennedy and Dempsey.

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to tax

credits for qualified research expenses relating to agricultural biotechnology, plant genomics products, and prescription pharmaceuticals consumed by humans and animals.

SB 1189—By Shoemyer.

An Act to repeal section 161.670, RSMo, and to enact in lieu thereof one new section relating to the virtual public school.

SB 1190—By Nodler.

An Act to repeal section 620.010, RSMo, and to enact in lieu thereof one new section relating to the division of professional registration.

SB 1191—By Ridgeway.

An Act to repeal section 177.088, RSMo, and to enact in lieu thereof one new section relating to educational facilities.

SB 1192—By Ridgeway.

An Act to repeal sections 376.818 and 376.819, RSMo, and to enact in lieu thereof two new sections relating to individual accident and sickness insurance.

SB 1193—By Koster.

An Act to repeal sections 50.327 and 57.317, RSMo, and to enact in lieu thereof two new sections relating to county sheriff salaries.

SB 1194—By Goodman.

An Act to repeal sections 565.005, 565.006, 565.035, 565.040, 566.030, and 566.060, RSMo, and to enact in lieu thereof nine new sections relating to punishment for certain crimes against a child under the age of twelve, with penalty provisions.

SB 1195—By Goodman.

An Act to repeal section 302.720, RSMo, and to enact in lieu thereof one new section relating to the hazardous materials endorsement testing process.

SB 1196—By Goodman.

An Act to repeal section 610.023, RSMo, and to enact in lieu thereof one new section relating to requests for public records in certain formats.

SB 1197—By Crowell.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

SB 1198—By Purgason.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to use of public lands.

SENATE BILLS FOR PERFECTION

Senator Justus moved that **SB 778**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 778**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 778

An Act to amend chapters 167 and 376, RSMo, by adding thereto two new sections relating to immunizations against the human papillomavirus.

Was taken up.

Senator Justus moved that **SCS** for **SB 778** be adopted.

Senator Justus offered **SS** for **SCS** for **SB 778**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 778

An Act to amend chapter, 167, RSMo, by adding thereto one new section relating to immunizations against the human papillomavirus.

Was taken up.

Senator Justus moved that **SS** for **SCS** for **SB 778** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SCS** for **SB 778** was declared perfected and ordered printed.

Senator Engler moved that **SB 806**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 806**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to display of flags on government buildings.

Was taken up.

Senator Engler moved that **SCS** for **SB 806** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 806, Page 1, Section 9.135, Line 4, by striking the word “and” and inserting in lieu thereof the following: “or”.

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

Senator Engler moved that **SCS** for **SB 806**, as amended, be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **SB 806**, as amended, was declared perfected and ordered printed.

Senator Goodman moved that **SB 958** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Goodman, **SB 958** was declared perfected and ordered printed.

INTRODUCTION OF BILLS

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

SB 1199—By Goodman.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to limited mandate health insurance policies.

SB 1200—By Bray.

An Act to amend chapters 407 and 571, RSMo, by adding thereto three new sections relating to the sale of ammunition, with penalty provisions.

SB 1201—By Griesheimer.

An Act to repeal sections 67.010, 105.145, 238.202, 238.207, 238.212, 238.225, 238.235, 238.270, and 238.272, RSMo, and to enact in lieu thereof ten new sections relating to transportation development districts.

MESSAGES FROM THE GOVERNOR

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

OFFICE OF THE LIEUTENANT GOVERNOR
State of Missouri
Jefferson City
65101
February 25, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Carl M. Greenwell, Democrat, 7562 Shelby 439, Shelbina, Shelby County, Missouri 63468, as a member of the Truman State University Board of Governors, for a term ending January 1, 2011, and until his successor is duly appointed and qualified; vice, Wilma Maddox, term expired.

Respectfully submitted,
/s/ Peter Kinder
PETER D. KINDER
Lieutenant Governor

Also,

OFFICE OF THE LIEUTENANT GOVERNOR
State of Missouri
Jefferson City
65101
February 25, 2008

To the Senate of the 94th General Assembly of the State of Missouri:

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

Karen S. Haber, Independent, 5900 North Beaman Avenue, Kansas City, Platte County, Missouri 64151, as a member of the Truman State University Board of Governors, for a term ending January 1, 2014, and until her successor is duly appointed and qualified; vice, Randa

Rawlins, term expired.

Respectfully submitted,
/s/ Peter Kinder
PETER D. KINDER
Lieutenant Governor

REPORTS OF STANDING COMMITTEES

On behalf of Senator Shields, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Goodman submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 778**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Barnitz offered Senate Resolution No. 1959, regarding Michael D. Dowdy, Rolla, which was adopted.

Senator Barnitz offered Senate Resolution No. 1960, regarding the Fifty-third Birthday of Karen Joan Dietz, St. James, which was adopted.

Senator Barnitz offered Senate Resolution No. 1961, regarding Jordan John Backes, which was adopted.

Senators Vogel and Barnitz offered Senate Resolution No. 1962, regarding Chad Michael Pica, which was adopted.

COMMUNICATIONS

President Pro Tem Gibbons submitted the following:

February 21, 2008

Senator Mike Gibbons
President Pro Tem
Missouri Senate
State Capitol, Room 326
Jefferson City, MO 65101

Dear Senator Gibbons:

This is to advise you that I will be acting Governor February 22, 2008 at approximately 11:40 a.m. until the Governor returns on February 27, 2008 at approximately 4:30 p.m.

Please submit this to the Senate Journal. Thank you for your assistance.

Sincerely,
/s/ Peter Kinder
PETER D. KINDER
Lieutenant Governor

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, Debbie Lee and Cassie Turner, Ashley Litton, Amanda Christian, Arika Simmons and Chelle Morgan, representatives of Mineral Area College student government,

Park Hills.

The President introduced to the Senate, Brock Olivo and his sister, Daisy, Columbia.

Senator Loudon introduced to the Senate, the Physician of the Day, Dr. David Reimers, M.D., Town and Country.

Senator Engler introduced to the Senate, Norma Enochs and Shandell Farris, Ellsinore.

Senator Ridgeway introduced to the Senate, Dr. Joseph A. Salomone, III, M.D., FAAEM, Kearney.

Senator Purgason introduced to the Senate, Cheryl Beason, Gainesville; and Troy Wiesner, Bakersfield.

Senator Purgason introduced to the Senate, Brenda Jackson, teachers and forty-five students from Fairview R-XI School, West Plains.

Senator Shoemyer introduced to the Senate, Donna Zumwalt, Mary Ann St. Clair, Tyler Clark and Clay Hayden, Hannibal; and Jan Golian, Center.

Senator Scott introduced to the Senate, Aaron Tucker, Nate Smith, Adrienne Bahr, Jeremy Budy and Emiley Oberle, Fort Scott Christian School, Fort Scott, Kansas.

Senator Crowell introduced to the Senate, Jeff and Tracy Glenn and their sons, Josh and Zac, Cape Girardeau; and Zac was made an honorary page.

Senator Ridgeway introduced to the Senate, Shelby Yates, Marqui Alexander, Erika White and Michelle Hutchins, Clay County.

Senator Kennedy introduced to the Senate, Kristi and Andrew Scoville and Chad Koenig, St. Louis.

Senator Shields introduced to the Senate, State Representative Mary Kasten, Cape Girardeau.

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

SENATE CALENDAR

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 27, 2008

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1174-Goodman

SB 1175-Goodman

SB 1176-Barnitz

SB 1177-Barnitz

SB 1178-Barnitz

SB 1179-Crowell

SB 1180-Crowell

SB 1181-Engler

SB 1182-Smith and Justus

SB 1183-Bray

SB 1184-Bray

SB 1185-Gibbons and Bartle

SB 1186-Engler

SB 1187-Purgason

SB 1188-Shields, et al
SB 1189-Shoemyer
SB 1190-Nodler
SB 1191-Ridgeway
SB 1192-Ridgeway
SB 1193-Koster
SB 1194-Goodman

SB 1195-Goodman
SB 1196-Goodman
SB 1197-Crowell
SB 1198-Purgason
SB 1199-Goodman
SB 1200-Bray
SB 1201-Griesheimer

HOUSE BILLS ON SECOND READING

HCS for HB 1380
HB 1386-Cox and Ruestman
HB 1313-Wright, et al
HB 1311-Hoskins
HB 1628-Cooper (120)
HB 1670-Cooper (120)
HB 1320-Brown (50)
HCS for HB 1305

HB 1656-Nance and Cooper (120)
HCS for HB 1575
HB 1354-Wilson (119), et al
HCS for HJR 55
HCS for HB 1774
HB 1406-Deeken, et al
HB 1310-Hoskins

THIRD READING OF SENATE BILLS

SB 1066-Ridgeway, et al
SS for SCS for SB 711-Gibbons
SCS for SB 720-Coleman

SCS for SB 765-Goodman, et al
SCS for SB 781-Smith
SS for SCS for SB 778-Justus

SENATE BILLS FOR PERFECTION

1. SB 1007-Loudon
2. SBs 909, 954, 934 & 1003-Engler, with SCS
3. SB 749-Ridgeway, with SCS
4. SB 729-Griesheimer, with SCS
5. SB 768-Rupp and Gibbons, with SCS
6. SB 776-Justus and Koster, with SCS
7. SBs 714, 933, 899 & 758-Loudon and Gibbons, with SCS
8. SJRs 34 & 30-Crowell and Coleman, with SCS

9. SB 898-Clemens, with SCS
10. SBs 993 & 770-Crowell, with SCS
11. SB 873-Graham, with SCS
12. SB 846-Rupp, with SCS
13. SBs 712 & 882-Gibbons and Rupp, with SCS
14. SB 809-Stouffer, with SCS
15. SBs 930 & 947-Stouffer, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 726-Shields, with SCS	SB 788-Scott, with SCS
SB 732-Champion, et al, with SCS	SBs 818 & 795-Rupp, et al, with SCS
SBs 747 & 736-Ridgeway and Gibbons, with SCS	SB 821-Shoemyer, with SCS (pending)
SBs 754 & 794-Mayer and Loudon, with SCS	SBs 840 & 857-Engler, with SCS
SB 759-Stouffer, with SCS & SA 1 (pending)	SB 907-Engler and Gibbons, with SCS
SBs 761 & 774-Stouffer, with SCS	SB 929-Green and Callahan, with SCS
	SB 997-Crowell

CONSENT CALENDAR

Senate Bills

Reported 2/7

SB 978-Griesheimer	SB 760-Stouffer, with SCS
--------------------	---------------------------

Reported 2/14

SB 901-Loudon, et al, with SCS (In Fiscal Oversight)	SB 723-Scott
SB 970-Scott	SB 951-Scott, with SCS
SB 953-Scott	SB 1010-Nodler
	SB 1068-Mayer

Reported 2/21

SB 1008-Loudon, with SCS	SB 991-Loudon and Kennedy
SB 1061-Barnitz	SB 942-Clemens, with SCS
SB 999-Scott	SBs 753, 728, 906 & 1026-Mayer, with SCS
SB 952-Scott, with SCS	SB 936-Griesheimer
SB 850-Justus, with SCS	SB 841-Stouffer
SB 896-Stouffer	SB 955-Shields
SB 1039-Clemens, with SCS	SB 856-Engler
SB 1002-Justus, et al	

RESOLUTIONS

To be Referred

SCR 33-Bray

