

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FOURTH DAY—WEDNESDAY, MARCH 9, 2011

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God never promises to remove us from our struggles. He does promise, however, to change the way we look at them.” (Max Lucado)

Merciful God, we begin this period we Christians observe as Lent; so on this Ash Wednesday, open us to know You and therefore to know ourselves as Your people. It is a special time to hear Your call to repent and return to You our God. Help us know that whatever struggles we encounter You are here to help us and please give us faithfulness to see life as You do and to be filled with hope and forgiveness. 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.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 483, regarding the city of Blue Springs, which was

adopted.

Senators Rupp and Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 484

Whereas, the members of the Missouri Senate proudly pause to recognize an outstanding young Missouri citizen who has distinguished herself as a leader of her peers; and

Whereas, Sara von Harz of St. Charles, Missouri, a junior at Francis Howell North High School, is to be commended for her efforts to establish a cheerleading squad for children with special needs; and

Whereas, Adrenaline Explosion Cheerleading currently operates through the Northside Gymnastic Academy in O'Fallon and works with children of all disabilities in ages ranging from 5-18; and

Whereas, the squad was created with heart and a vision to help special needs children by promoting self-esteem, teamwork, exercise, patience, and perseverance; and

Whereas, Sara loves to cheer and got the idea to start a special squad after watching her brother, who has autism, try to do her routines while sitting on the sidelines; and

Whereas, Sara has achieved all of this and more with the love and support of her proud family, including her parents, Benjamin and Shannon von Harz, her siblings, Nicholas, Katherine, and Matthew; teachers; and friends:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-sixth General Assembly, join in extending our most hearty congratulations to Sara von Harz at this proud moment of well-deserved distinction, and in wishing her only the very best of success in all her future endeavors; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for Sara von Harz.

Senator Mayer offered Senate Resolution No. 485, regarding Robert "Bob" Kushner, Piedmont, which was adopted.

Senator Mayer offered Senate Resolution No. 486, regarding Charlie Kruse, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 487, regarding David Sells, Piedmont, which was adopted.

Senator Kraus offered Senate Resolution No. 488, regarding Dylan Hobson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 489, regarding Joshua Hunt Reilly, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 490, regarding Ian M. Dobyons, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 491, regarding William M. Kamp, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 492, regarding Christopher S. Lykins, Lee's Summit, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 55** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 55**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 55

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to classification of certain real property.

Senator Brown moved that **SS** for **SB 55** be adopted.

At the request of Senator Brown, **SB 55**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 135** and **SS** for **SCS** for **SBs 113** and **95**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SS** for **SB 135** and **SS** for **SCS** for **SBs 113** and **95** to the Committee on Ways and Means and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

SB 130, with **SCS**, was placed on the Informal Calendar.

Senator Stouffer assumed the Chair.

Senator Pearce moved that **SB 163**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 163**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 163

An Act to repeal sections 172.030, 173.005, and 174.450, RSMo, and to enact in lieu thereof three new sections relating to higher education boards.

Was taken up.

Senator Pearce moved that **SCS** for **SB 163** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 163, Page 1, Section 173.005, Line 7, by striking the word "Coordinating"; and further amend line 8 by striking both occurrences of the word "coordinating"; and further amend said section, page 2, line 16 by striking the word "coordinating"; and further amend line 21, by striking the word "coordinating"; and further amend line 23 by striking the word "coordinating"; and further amend line 29 by striking the word "coordinating"; and further amend line 31 by striking the word "coordinating"; and further amend 34 by striking the word "coordinating"; and further amend line 45 by striking the word "coordinating"; and further page 3 line 52 by striking the word "coordinating"; and further amend line 59 by striking the word "coordinating"; and further amend line 61

by striking the word “coordinating”; and further amend line 63 by striking the word “coordinating”; and further amend line 65 by striking the word “coordinating”; and further amend line 72 by striking the word “coordinating”; and further amend line 78 by striking the word “coordinating”; and further amend line 80 by striking the word “coordinating”; and further amend line 82 by striking the word “coordinating”; and further amend page 4, line 83 by striking the word “coordinating”; and further amend line 85 by striking the word “coordinating”; and further amend line 86 by striking the word “coordinating”; and further amend line 89 by striking the word “coordinating”; and further amend line 90 by striking the word “coordinating”; and further amend line 92 by striking both occurrences of the word “coordinating”; and further amend line 94 by striking the word “coordinating”; and further amend line 105 by striking the word “coordinating”; and further amend page 5, line 124 by striking the word “coordinating”; and further amend line 136 by striking the word “coordinating”; and further amend line 137 by striking the word “coordinating”; and further amend line 154 by striking the word “coordinating”; and further amend page 6, line 156, by striking the word “coordinating”; and further amend line 165 by striking the word “coordinating”; and further amend line 169 by striking the word “coordinating”; and further amend line 170 by striking the word “coordinating”; and further amend line 184 by striking the word “coordinating”; and further amend line 189 by striking the word “coordinating”.

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

Senator Pearce moved that **SCS** for **SB 163**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 163**, as amended, was declared perfected and ordered printed.

At the request of Senator Dempsey, **SB 145** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 203** was placed on the Informal Calendar.

Senator Mayer moved that **SB 63** be taken up for perfection, which motion prevailed.

Senator Schaaf assumed the Chair.

On motion of Senator Mayer, **SB 63** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 161** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 161** was declared perfected and ordered printed.

Senator Brown moved that **SB 55**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 55** was again taken up.

Senator Brown moved that **SS** for **SB 55** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SB 55** was declared perfected and ordered printed.

Senator Dixon moved that **SB 173** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 173** was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 8, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Marilyn Durk to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 3, 4, and 5 should be amended to read:

member of the Missouri Head Injury Advisory Council, for a term ending July 23, 2012, and until her successor is duly appointed and qualified; vice, Raymond Mungenast, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 8, 2011

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Richard Hashagen to the Missouri Head Injury Advisory Council submitted to you on February 16, 2011. Line 4 should be amended to read:

vice, Richard Hashagen, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, 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 **SB 63**, 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.

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, Representative Noel Torpey, Independence; and the Physician of the Day, Dr. Sean Clinefelter, Grain Valley.

Senator Nieves introduced to the Senate, Ron Howe and his daughter, Rachel, Ballwin; and Rachel was made an honorary page.

Senator Rupp introduced to the Senate, Sara von Harz, her parents, Benjamin and Shannon; and Lily Jackson, Chris Jackson and Trudy Giancola, St. Charles County; and Lily was made an honorary page.

Senator Wright-Jones introduced to the Senate, Mayor Francis Slay, St. Louis.

Senator Ridgeway introduced to the Senate, Stacie Bratcher, Stacie Coons, Ashley Williams, Christina Winters, Kathi Alexander, Amanda Martinez, Wendy Wells, Connie Harrison and Debbie, Vicki, Liz, Kerah, Rose, Sarah Jane and Tia, visitors from Immacolata Manor, Liberty.

Senator Pearce introduced to the Senate, Head Coach Tammy Holcomb, Assistant Coach Ryan Talley and members of the 2010 Class 3 State Champion Nevada R-V girls softball team.

Senator Kehoe introduced to the Senate, Professor Deborah Word and Lincoln University students, participants in Missouri Association of Social Welfare Student Lobby Day.

Senator Lembke introduced to the Senate, members of Big Brothers and Big Sisters Amachi Missouri from the First Senatorial District.

Senator Schmitt introduced to the Senate, Jackie Swinnie and Nic Yowell, Manchester.

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

SENATE CALENDAR

THIRTY-FIFTH DAY—THURSDAY, MARCH 10, 2011

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 418-Chappelle-Nadal and Lamping

SB 419-Kraus

SB 420-Mayer

SB 421-Pearce

SB 422-Lager

SB 423-Lager

SB 424-Cunningham

SB 425-Goodman

SB 426-Lamping

SB 427-Lamping

SB 428-Ridgeway

SB 429-Ridgeway

SB 430-Mayer

SB 431-Munzlinger

SB 432-Munzlinger

SB 433-Kraus

HOUSE BILLS ON SECOND READING

HCS for HB 46

HB 71-Nasheed, et al

HB 139-Smith (150), et al

HB 209-Guernsey, et al

HB 107-Smith (150), et al	HCS for HB 136
HCS for HB 205	HCS for HB 214
HCS for HB 76	HCS for HB 61
HCS for HBs 276, 233 & 274	HCS for HB 108
HCS for HBs 116 & 316	

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)	SS for SB 135-Schaefer (In Fiscal Oversight)
SCS for SB 188-Lager, et al (In Fiscal Oversight)	SS for SCS for SBs 113 & 95-Parson (In Fiscal Oversight)
SB 284-Wasson	SB 63-Mayer
SCS for SB 219-Wasson	
SB 207-Lager	
SB 61-Keaveny	

SENATE BILLS FOR PERFECTION

SB 278-Munzlinger, et al	SB 162-Munzlinger, with SCS
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HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)	HB 15-Silvey (Schaefer)
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INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS	SB 120-Stouffer
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 130-Rupp, with SCS
SB 8-Goodman, with SCS & SS#2 for SCS (pending)	SB 145-Dempsey
SB 23-Keaveny, with SCS & SS for SCS (pending)	SB 203-Schmitt, et al
SB 28-Brown	SB 204-Dempsey, et al
	SB 254-Stouffer, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 163, with SCS, SS for SCS &
SA 1 (pending) (Pearce)

CONSENT CALENDAR

Senate Bills

Reported 2/17

SB 57-Callahan, with SCS
SB 97-Engler

SB 96-Engler

RESOLUTIONS

Reported from Committee

SR 179-Purgason
SCR 7-Dempsey

SCR 8-Rupp

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