

# Journal of the Senate

FIRST REGULAR SESSION

---

**THIRTY-EIGHTH DAY—WEDNESDAY, MARCH 16, 2011**

---

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will lift up mine eyes unto the hills, from where comes my help? My help comes from the LORD.” (Psalm 121:1-2)

As we are midway through this week and session we come to You Gracious God for we are pressed from every side dealing with the affairs of state as well as our personal situations. Help us O Lord when we are stressed and perplexed and provide us wisdom and peace, love and mercy so we may deal with the challenges of this day with confidence in Your guidance. 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 Kehoe offered Senate Resolution No. 550, regarding the Public School and Education Employee Retirement Systems of Missouri, which was adopted.

Senator Pearce offered Senate Resolution No. 551, regarding Herbert Nelson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 552, regarding Mae A. Dollar, Warrensburg, which was adopted.

**HOUSE BILLS ON THIRD READING**

Senator Pearce moved that **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

Senator Schmitt assumed the Chair.

At the request of Senator Pearce, **HCS** for **HB 163**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

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

**SENATE BILLS FOR PERFECTION**

Senator Rupp moved that **SB 130**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 130**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 130

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

Was taken up.

Senator Rupp moved that **SCS** for **SB 130** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 130**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 130

An Act to repeal section 173.385, RSMo, and to enact in lieu thereof six new sections relating to higher education financial aid programs.

Senator Rupp moved that **SS** for **SCS** for **SB 130** be adopted.

At the request of Senator Rupp, **SB 130**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 145** be called from the Informal Calendar and taken up for

perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 145** was declared perfected and ordered printed.

At the request of Senator Munzlinger, **SB 278** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 162**, with **SCS**, was placed on the Informal Calendar.

Senator Lembke moved that **SB 17**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 17

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to cord blood banking.

Was taken up.

Senator Lembke moved that **SCS** for **SB 17** be adopted.

Senator Lembke offered **SS** for **SCS** for **SB 17**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 17

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to cord blood banking.

Senator Lembke moved that **SS** for **SCS** for **SB 17** be adopted, which motion failed.

**SCS** for **SB 17** was again taken up.

Senator Lembke moved that **SCS** for **SB 17** be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **SB 17** was declared perfected and ordered printed.

**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 **SS No. 2** for **SCS** for **SB 8**, 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.

**MESSAGES FROM THE GOVERNOR**

The following message was received from the Governor:

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 15, 2011

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

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 14, 2011, for your

advice and consent:

Marvin Ferguson, Republican, 6502 Northwest Melody Lane, Parkville, Platte County, Missouri 64152, as a member of the Platte County Election Board, for a term ending January 11, 2013, and until his successor is duly appointed and qualified; vice, Christopher C. Dalton, term expired.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

President Pro Tem Mayer moved that the above appointment be returned to the Governor per his request, which motion prevailed.

### REFERRALS

President Pro Tem Mayer referred **SRM 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

### 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 **HCS** for **HB 83**, entitled:

An Act to repeal sections 362.111 and 370.073, RSMo, and to enact in lieu thereof two new sections relating to international transactions.

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 109**, entitled:

An Act to repeal sections 30.260, 30.750, 30.758, 30.767, 30.810, and 30.860, RSMo, and to enact in lieu thereof five new sections relating to linked deposits, 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 137**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by certain state universities.

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 142**, entitled:

An Act to repeal section 55.030, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

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 149**, entitled:

An Act to repeal section 143.1004, RSMo, and to enact in lieu thereof one new section relating to the Missouri military family relief fund.

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 151**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to donations to the organ donor program fund.

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 153**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

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 171**, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

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 184**, entitled:

An Act to repeal section 233.280, RSMo, and to enact in lieu thereof one new section relating to the compensation of road district commissioners.

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 186**, entitled:

An Act to repeal section 51.050, RSMo, and to enact in lieu thereof one new section relating to qualifications of clerks of county commissions.

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 189**, entitled:

An Act to repeal section 306.109, RSMo, and to enact in lieu thereof one new section relating to possession and use of certain alcohol containers and devices on certain rivers, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **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 145**, 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.

On motion of Senator Dempsey, the Senate recessed until 3:15 p.m.

### **RECESS**

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

### **RESOLUTIONS**

Senator Schaaf offered Senate Resolution No. 553, regarding the Sixty-fifth Anniversary of the Parkville Rotary Club, which was adopted.

Senator Pearce offered Senate Resolution No. 554, regarding Kori Sproat, which was adopted.

Senator Pearce offered Senate Resolution No. 555, regarding Terri Horine Helmig, Warrensburg, which was adopted.

Senator Mayer offered Senate Resolution No. 556, regarding Sergeant Dale Moreland, Dexter, which was adopted.

Senator Curls offered Senate Resolution No. 557, regarding Alexander Lee Daffer, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 558, regarding Ryan Ellis Allen, Kansas City, which was adopted.

Senator Lager offered Senate Resolution No. 559, regarding the Hale R-I School District, which was adopted.

Senator Lager offered Senate Resolution No. 560, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Tom McCaughey, Oak Grove, which was adopted.

Senator Lager offered Senate Resolution No. 561, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lyndell Tharp, Green Castle, which was adopted.

### **SENATE BILLS FOR PERFECTION**

Senator Munzlinger moved that **SB 162**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 162**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 162**

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the farm-to-table advisory board, with an expiration date for a certain section.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 162** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 162** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 62**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 62**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62**

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 62** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 62**, entitled:

#### **SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 62**

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to

medical records.

Senator Schaaf moved that **SS** for **SCS** for **SB 62** be adopted.

At the request of Senator Schaaf, **SB 62**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**SB 280**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 306** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 306**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 306

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions, with penalty provisions.

Senator Wasson moved that **SS** for **SB 306** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 306** was declared perfected and ordered printed.

Senator Engler moved that **SB 282** be taken up for perfection, which motion prevailed.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 282, Page 1, In the Title, Line 3, by striking the following: “the date of the presidential primary” and inserting in lieu thereof the following: “dates of conducting elections”; and

Further amend said bill and page, section 115.123, line 2, by striking “, 3, and 4” and inserting in lieu thereof the following: “**and 3**”; and further amend line 5, by striking “February or”; and further amend line 6, by striking “the first Tuesday after the first Monday in June”.

Senator Kraus moved that the above amendment be adopted.

At the request of Senator Engler, **SB 282**, with **SA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Engler, **SB 226** was placed on the Informal Calendar.

Senator Rupp moved that **SB 131**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 131**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 131

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

Was taken up.

Senator Rupp moved that **SCS** for **SB 131** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 131** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 250** be taken up for perfection, which motion prevailed.



Senator Pearce assumed the Chair.

Senator Callahan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 250, Page 1, In the Title, Line 3 of the title, by striking: “imprisoned by the department of corrections for” and inserting in lieu thereof the following: “convicted of”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“566.147. 1. Any person who, since July 1, 1979, has been or hereafter has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, use of a child in a sexual performance; section 568.090, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography, or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other state or foreign country, or under federal, tribal, or military jurisdiction which, if committed in this state, would be a violation listed in this section; shall not reside within one thousand feet of:

(a) Any public school as defined in section 160.011[, or];

(b) Any private school giving instruction in a grade or grades not higher than the twelfth grade[, or];

(c) **Any child-care facility [as defined in section 210.201, which] that is licensed under chapter 210;**  
**or**

(d) **Any residence, business, nonprofit organization, or church that holds itself out to be a child-care facility;**

**where the school or facility** is in existence at the time the individual begins to reside at the location.

2. If such person has already established a residence and a public school, a private school, or child-care facility is subsequently built or placed within one thousand feet of such person's residence, then such person shall, within one week of the opening of such public school, private school, or child-care facility, notify the county sheriff where such public school, private school, or child-care facility is located that he or she is now residing within one thousand feet of such public school, private school, or child-care facility and shall provide verifiable proof to the sheriff that he or she resided there prior to the opening of such public school, private school, or child-care facility.

3. For purposes of this section, “resides” means sleeps in a residence, which may include more than one location and may be mobile or transitory.

4. Violation of the provisions of subsection 1 of this section is a class D felony except that the second or any subsequent violation is a class B felony. Violation of the provisions of subsection 2 of this section is a class A misdemeanor except that the second or subsequent violation is a class D felony.”; and

Further amend the title and enacting clause accordingly.

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

On motion of Senator Kehoe, **SB 250**, as amended, was declared perfected and ordered printed.

At the request of Senator Crowell, **SB 202** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 176** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 175** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 242**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Mayer, **SB 65**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lembke, **SB 37**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 220** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 220** was declared perfected and ordered printed.

### CONCURRENT RESOLUTIONS

Senator Dempsey moved that **SCR 7** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SCR 7** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

### SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 282**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

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

Senator Lager offered **SA 2**, which was read:

#### SENATE AMENDMENT NO. 2

Amend Senate Bill No. 282, Page 1, Section 115.123, Line 10, by striking “**on the first Tuesday after the first Monday in March**” and inserting in lieu thereof, the following: “**seven days after the presidential primary is conducted in the state of New Hampshire**”.

Senator Lager moved that the above amendment be adopted.

Senator Engler requested a roll call vote be taken on the adoption of SA 2 and was joined in his request by Senators Justus, Callahan, Kraus and Lembke.

SA 2 was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dixon	Kehoe	Lager	Lamping	Lembke
Munzlinger	Nieves	Parson	Rupp	Schaaf	Schaefer	Stouffer	Wasson—16

NAYS—Senators

Callahan	Curls	Dempsey	Engler	Goodman	Justus	Keaveny	Kraus
Mayer	Pearce	Richard	Ridgeway	Schmitt	Wright-Jones—14		

Absent—Senators

Green Purgason—2

Absent with leave—Senators

Chappelle-Nadal McKenna—2

Vacancies—None

Senator Lager offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 282, Page 1, Section 115.123, Line 23, by inserting after all of said line, the following:

**“Section 1. All public elections held in order to comply with the provisions of Article X Section 18 (e) or Article X Section 22 of the Missouri Constitution shall only be held on the general election day.”; and**

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Justus raised the point of order that SA 3 is out of order as it goes beyond the scope and subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Nieves assumed the Chair.

Senator Schaefer offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 282, Page 2, Section 115.123, Line 27, by inserting after all of said line, the following:

**“Section 1. The state or national party organization of an established political party seeking to include a candidate on the presidential preference primary ballot shall provide the secretary of state a petition containing signatures of five thousand registered voters attesting to their approval of the candidate's inclusion on the presidential preference primary ballot. The petition shall be delivered**

**to the secretary of state on or before the eleventh Tuesday prior to the date of the presidential preference primary. The form of the petition shall be provided by the secretary of state.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Callahan requested a roll call vote be taken and was joined in his request by Senators Engler, Justus, Keaveny and Lamping.

**SA 4** failed of adoption by the following vote:

YEAS—Senators

Brown	Crowell	Dempsey	Dixon	Kehoe	Lager	Lamping	Lembke
Mayer	Munzlinger	Nieves	Parson	Schaaf	Schaefer—14		

NAYS—Senators

Callahan	Cunningham	Curls	Engler	Goodman	Justus	Keaveny	Kraus
Pearce	Richard	Ridgeway	Rupp	Schmitt	Stouffer	Wasson	Wright-Jones—16

Absent—Senators

Green	Purgason—2
-------	------------

Absent with leave—Senators

Chappelle-Nadal	McKenna—2
-----------------	-----------

Vacancies—None

Senator Schaaf offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 282, Page 2, Section 115.123, Line 27, by inserting after all of said line, the following:

**“115.757. 1. The secretary of state shall not certify any candidate for president or vice-president unless that candidate has provided the secretary of state with proof that the requirements of 8 U.S.C. 1401, 8 U.S.C. 1402, 8 U.S.C. 1406, and 8 U.S.C. 1407 are satisfied. For proof of live birth, a certification of live birth that does not record the name of the birthing facility or street address of the location where the birth occurred, or does not display the signature of the certifying administrator, designated representative of the birthing facility, physician, midwife, or other legally authorized person in attendance at birth will not be accepted by the secretary of state for consideration as proof. A long form birth certificate that does record the name of the birthing facility or street address of the location where the birth occurred and does display the signature of the certifying administrator, designated representative of the birthing facility, physician, midwife, or other legally authorized person in attendance at birth will be required as proof if one exists.**

**2. The secretary of state shall make the proof of birth required pursuant to subsection 1 of this section, including a long-form birth certificate, if one is provided, available for public viewing via the internet.”; and**

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Justus raised the point of order that **SA 5** is out of order as it goes beyond the scope and intent of the original bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Engler, **SB 282**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 62**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SCS** for **SB 62** was withdrawn.

Senator Schaaf offered **SS No. 2** for **SCS** for **SB 62**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 62

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Senator Schaaf moved that **SS No. 2** for **SCS** for **SB 62** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS No. 2** for **SCS** for **SB 62** 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 190**, entitled:

An Act to repeal section 253.082, RSMo, and to enact in lieu thereof three new sections relating to cash transactions by the department of natural resources.

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 204**, entitled:

An Act to repeal section 41.950, RSMo, and to enact in lieu thereof two new sections relating to driver's license renewal for military personnel.

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 250**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to well water.

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 217**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to electronic voter identification verification 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 338**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

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 363**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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 415**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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 442**, entitled:

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to preferences for state contracts.

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 229**, entitled:

An Act to repeal sections 169.270, 169.280, 169.301, 169.324, and 169.328, RSMo, and to enact in lieu thereof five new sections relating to school 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 **HB 282**, entitled:

An Act to repeal sections 105.915 and 105.927, RSMo, and to enact in lieu thereof two new sections relating to the state employee deferred contribution program.

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 315**, entitled:

An Act to repeal sections 144.018 and 144.019, RSMo, and section 32.125 as enacted by house substitute for senate bill no. 374, eighty-eighth general assembly, first regular session, section 52.315 as enacted by house committee substitute for senate committee substitute for senate bill no. 497, ninety-fourth general assembly, first regular session, section 67.281 as enacted by conference committee substitute for senate bill no. 513, ninety-fifth general assembly, first regular session, section 67.1305 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 210 merged with conference committee substitute for house committee substitute for senate substitute for senate bill no. 343, ninety-third general assembly, first regular session, section 91.055 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, section 115.348 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 58, ninety-third general assembly, first regular session, section 135.100 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.100 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, section 135.200 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, section 135.200 as enacted

by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, section 135.200 as enacted by senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1656, eighty-ninth general assembly, second regular session, section 141.550 as enacted by conference committee substitute for house substitute for house committee substitute for senate committee substitute for senate bill no. 894, ninetieth general assembly, second regular session, section 171.035 as enacted by conference committee substitute for house committee substitute for senate bill no. 376, ninety-fourth general assembly, first regular session, section 171.035 as enacted by house committee substitute for house bill no. 678, ninety-fourth general assembly, first regular session, section 217.777 as enacted by senate committee substitute for senate bill no. 430, eighty-ninth general assembly, first regular session, section 227.381 as enacted by house bill no. 1488, ninety-third general assembly, second regular session, section 228.362 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 180, eighty-seventh general assembly, first regular session, section 286.060 as enacted by senate committee substitute for house committee substitute for house bills nos. 300 & 95, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house committee substitute for senate substitute for senate bill no 3, eighty-eighth general assembly, first regular session, section 301.064 as enacted by house bill no. 769, eighty-ninth general assembly, first regular session, section 301.630 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 895, ninety-first general assembly, second regular session, section 304.156 as enacted by senate committee substitute for house bill no. 996 and house bill no. 1142 and house committee substitute for house bill no. 1201 and house bill no. 1489, ninety-second general assembly, second regular session, section 304.678 as enacted by house committee substitute for senate committee substitute for senate bill no. 372, ninety-third general assembly, first regular session, section 321.701 as enacted by conference committee substitute no. 2 for senate substitute no. 2 for house committee substitute for house bills nos. 484, 199 & 72, eighty-eighth general assembly, first regular session, section 321.714 as enacted by senate substitute for senate committee substitute for house committee substitute for house bills nos. 452, 203, 377, 472, 473, 556 & 647, eighty-eighth general assembly, first regular session, section 324.712 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 567, ninety-first general assembly, first regular session, section 335.067 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 780, ninety-fourth general assembly, first regular session, section 339.040 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bill no. 754, ninety-fifth general assembly, second regular session, section 361.170 as enacted by house committee substitute for house bill no. 379, ninety-third general assembly, first regular session, section 370.107 as enacted by senate bill no. 318, ninety-third general assembly, first regular session, section 376.1500 as enacted by senate substitute no. 2 for senate committee substitute for house committee substitute for house bill no. 818, ninety-fourth general assembly, first regular session, section 393.906 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, section 393.921 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, section 441.236 as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 89 & 37, ninety-first general assembly, first regular session, section 470.270 as enacted by conference committee substitute for house substitute for house committee substitute for senate



substitute for senate bill no. 1248, ninety-first general assembly, second regular session, section 565.082 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 62, ninety-fifth general assembly, first regular session, section 644.031 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 644.568 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 four new sections for the sole purpose of repealing statutes with multiple versions.

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 358**, entitled:

An Act to repeal sections 86.252, 86.255, 86.256, 86.294, and 86.354, RSMo, and to enact in lieu thereof six new sections relating to police retirement.

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 360**, entitled:

An Act to repeal section 70.695, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

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 459**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge.

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 465**, entitled:

An Act to repeal sections 370.100, 370.157, 370.310, 370.320, 370.353, and 370.359, RSMo, and to enact in lieu thereof thirteen new sections relating to credit unions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### 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 **SB 250**; **SCS** for **SB 17**; **SB 220**; **SCS** for **SB 131**; **SS** for **SB 306**; and **SCS** for **SB 162**, 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.

### RESOLUTIONS

Senator Ridgeway offered Senate Resolution No. 562, regarding Elliott Kiefer, Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 563, regarding Jacob Manka, Smithville, which was adopted.

### INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Morgan County Treasurer Louella Pryor, Moniteau County Treasurer Sarah Jones and members of the Missouri County Treasurers Association.

Senator Callahan introduced to the Senate, David and Laura Bower, and their sons, Scott and Seth, Independence.

Senator Mayer introduced to the Senate, Mrs. Lisa Burkhalter, Heather King, Lauren Hickson, Logan Blackburn, Dennis Amos, D'Erica Rucker, Layla Russell, Cierra Lott and Josiah Gouldman, members of the Clarkton High School Student Council.

Senator Dixon introduced to the Senate, Lacey Nunnally, Donna Washburn, Keith Ray Mackie, Maria Beckett, Britani Benoit, Anna Higley, Melissa Weinkauff, Christine Hannan, Loree Lynn Kinsella, Megan Kirsh, Rachel Roy, Andrew Hanks, Alyssa Miller and Logan Seebach, Evangel University; and Alyssa and Logan were made honorary pages.

Senator Schaaf introduced to the Senate, former State Senator Marvin Singleton and Mitch and Barbara Singleton, Fayetteville, Arkansas.

Senator Kehoe introduced to the Senate, teachers Sherry Holland, Kim Pragman, Heather Dixon and seventy-six fourth grade students from Blair Oaks Elementary School, Wardsville.

Senator Lager introduced to the Senate, Tana Snyder and twelfth grade students from Maysville R-I High School.

Senator Nieves introduced to the Senate, Jedidiah Smith and students from Cornerstone Baptist Academy, St. Clair.

Senator McKenna introduced to the Senate, students from Windsor High School, Imperial.

On behalf of himself and Senators Green, Chappelle-Nadal and Rupp, Senator Keaveny introduced to the Senate, Stephanie Kraus, Catrell Churchman, Victor Whittier and Christopher Howard, representatives

of Shearwater Education Foundation, St. Louis; and Catrell, Victor and Christopher were made honorary pages.

On behalf of Senator Schmitt, the President introduced to the Senate, Troy Walton, Edwardsville, Illinois.

Senator Lamping introduced to the Senate, former State Senator Betty Sims, Ladue, and her grandchildren, Morgan, Liam and Sophia Weber, St. Louis; and Morgan, Liam and Sophia were made honorary pages.

Senator Kraus introduced to the Senate, Yvonne and Rick Foreman, Lee's Summit; and Kendall Foreman, Hawaii.

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

## SENATE CALENDAR

---

THIRTY-NINTH DAY—THURSDAY, MARCH 17, 2011

---

## FORMAL CALENDAR

### HOUSE BILLS ON SECOND READING

HB 209-Guernsey, et al	HB 151-Kelly (24) and Mollendorp
HB 107-Smith (150), et al	HB 153-Black, et al
HCS for HB 205	HB 171-Ruzicka, et al
HCS for HB 76	HB 184-Dugger
HCS for HBs 276, 233 & 274	HB 186-Entlicher, et al
HCS for HBs 116 & 316	HB 189-Ruzicka
HCS for HB 136	HB 190-Ruzicka
HCS for HB 214	HB 204-Hoskins, et al
HCS for HB 61	HCS for HB 250
HCS for HB 108	HB 217-Dugger and Entlicher
HCS for HB 174	HCS for HB 338
HCS for HBs 112 & 285	HCS for HB 363
HCS for HB 266	HB 415-Richardson, et al
HB 339-Pollock, et al	HB 442-Franz
HB 167-Nolte, et al	HB 229-Curls and Leara
HJR 2-McGhee, et al	HB 282-Franz
HCS for HB 83	HCS for HB 315
HB 109-Wells, et al	HB 358-Leara and Colona
HB 137-Thomson, et al	HB 360-Leara
HB 142-Gatschenberger	HCS for HB 459
HB 149-Day, et al	HCS for HB 465

## THIRD READING OF SENATE BILLS

- |   |                               |
|---|-------------------------------|
| 1. SCS for SB 11-McKenna<br>(In Fiscal Oversight) | 7. SB 145-Dempsey             |
| 2. SB 173-Dixon and Kehoe                         | 8. SB 250-Kehoe               |
| 3. SCS for SB 163-Pearce                          | 9. SCS for SB 17-Lembke       |
| 4. SB 161-Munzlinger                              | 10. SB 220-Wasson             |
| 5. SS for SB 55-Brown                             | 11. SCS for SB 131-Rupp       |
| 6. SS#2 for SCS for SB 8-Goodman                  | 12. SS for SB 306-Wasson      |
|   | 13. SCS for SB 162-Munzlinger |

## SENATE BILLS FOR PERFECTION

SB 247-Pearce	SB 36-Lembke
SB 81-Pearce, with SCS	SB 322-Schaefer
SB 54-Cunningham, with SCS	SB 29-Brown, with SCS
SB 200-Crowell	SJR 11-Munzlinger, with SCS
SB 72-Kraus	

## HOUSE BILLS ON THIRD READING

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

## INFORMAL CALENDAR

## THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

## SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1 (pending)	SB 175-Munzlinger, et al
SBs 7, 5, 74 & 169-Goodman, with SCS	SB 176-Munzlinger, et al
SB 23-Keaveny, with SCS & SS for SCS (pending)	SB 202-Crowell
SB 28-Brown	SB 203-Schmitt, et al
SB 37-Lembke, with SCS	SB 204-Dempsey, et al
SB 65-Mayer, et al, with SCS	SB 226-Engler
SB 120-Stouffer	SB 242-Cunningham, with SCS
SB 130-Rupp, with SCS & SS for SCS (pending)	SB 254-Stouffer, with SCS
	SB 278-Munzlinger, et al
	SB 280-Purgason, et al, 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 8-Rupp

✓