

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—TUESDAY, MARCH 29, 2011

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Place me where you will and use me according to your wisdom. I am in your hand as your servant ready to do all that you command.”
(Thomas a Kempis)

Gracious God, we are here to serve not ourselves but the people whom You have given us to care for. Let us always be mindful that the demands and responsibilities we feel come as a result of the many blessings which You have given us and may we always use them in service to Your people and the caring one for another required of us. 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 Dempsey announced that photographers from Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

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 Schaefer offered Senate Resolution No. 615, regarding Benjamin M. Loftin, Ashland, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 616, regarding the Honorable John “Jack” Agnew, Dellwood, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 617, regarding Dan Chapman, Saint Charles, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 618, regarding Rita Bovinett, Dellwood, which was adopted.

Senator Dempsey offered Senate Resolution No. 619, regarding Patriot Machine, Inc., Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 620, regarding The Boys & Girls Clubs of Missouri, which was adopted.

Senator Parson offered Senate Resolution No. 621, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Dooley, Pleasant Hope, which was adopted.

Senator Lembke offered Senate Resolution No. 622, regarding Debbie Staufenbiel, Arnold, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 175** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

Senator Callahan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 175, Page 1, Section A, Line 4, by inserting after all of said line the following:

“34.056. 1. No public body shall enter into a public works contract, as defined in section 34.058, with any company if it has been proven that within the past five years such company has violated section 285.503.

2. As used in this section, “public body” means the state of Missouri or any public officer, official, authority, board, or commission of the state, or other political subdivision thereof, or any institution supported in whole or in part by public funds.”; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Munzlinger, **SB 175**, with **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

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

RESOLUTIONS

Senator Justus offered Senate Resolution No. 623, regarding Jack Cooper Transport, Kansas City, which was adopted.

Senator McKenna offered Senate Resolution No. 624, regarding the death of Mark C. Abel, Festus, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 625, regarding the death of Helen Wallace Fox, which was adopted.

Senator Engler offered Senate Resolution No. 626, regarding Jo A. Govreau, which was adopted.

Senator Engler offered Senate Resolution No. 627, regarding Cindy Marie Danieley, which was adopted.

Senator Engler offered Senate Resolution No. 628, regarding Steven Nausley, which was adopted.

Senator Engler offered Senate Resolution No. 629, regarding Edwin Edwards, which was adopted.

Senator Engler offered Senate Resolution No. 630, regarding Kathleen Wiesehan, which was adopted.

Senator Engler offered Senate Resolution No. 631, regarding Judith Janos, which was adopted.

Senator Mayer offered Senate Resolution No. 632, regarding Three Rivers Community College, which was adopted.

Senator Cunningham offered Senate Resolution No. 633, regarding Carolyn Marty, Florissant, which was adopted.

Senator Cunningham offered Senate Resolution No. 634, regarding the Honorable Douglas R. Beach, Chesterfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 635, regarding Scott Schneider, St. Charles, which was adopted.

Senator Cunningham offered Senate Resolution No. 636, regarding Bob Gianino, Florissant, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 637, regarding Amber Dale Russo, Arnold, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 638, regarding Marissa Christine Buechel, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 639, regarding Megan Elizabeth Buechel, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 640, regarding Grace Lenden Ahlering, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 641, regarding Teresa Margaret Boschert, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 642, regarding Danielle Nicole Cicka, Ballwin, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 643, regarding Catherine Ann Dillon, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 644, regarding Kathleen Kinsella Dorr, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 645, regarding Alexandra Gantt, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 646, regarding Sonja Glaser, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 647, regarding Erin McDonald Guthrie, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 648, regarding Claire Heckenkamp, Affton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 649, regarding Rachel Hennessey, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 650, regarding Kristen Marie Hyde, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 651, regarding Savannah Marie Paletta, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 652, regarding Victoria Lorraine Pollvogt, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 653, regarding Jaclyn Margaret Shea, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 654, regarding Samantha Short, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 655, regarding Nicolette Jean Snyder, St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 656, regarding the 2010 Class 2 State Champion Penney High School football program.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 65**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 65**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 65

An Act to repeal sections 188.015, 188.029, and 188.030, RSMo, and to enact in lieu thereof two new sections relating to abortion, with penalty provisions.

Was taken up.

Senator Mayer moved that **SCS for SB 65** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 65, Page 5, Section 188.030, Line 102, by inserting after “abortion” the following: “, **except that such prohibition shall not apply to physicians whose legal or financial affiliation or relationship is a result of being employed by or having staff privileges at the same hospital as the term “hospital” is defined in section 197.020**”.

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

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 65, Page 2, Section 188.015, Line 24, by striking the word “physical”; and

Further amend said bill, page 3, section 188.030, line 28, by striking all of said line and inserting in lieu thereof the following: “**endangered by a disorder, illness, or injury,**”; and further amend line 29, by striking the word “physical”; and further amend line 31, by striking the word “physical”; and further amend line 32, by striking the word “For”; and further amend lines 33-36, by striking all of said lines; and

Further amend said bill and section, page 4, line 71, by striking the word “physical”; and further amend lines 78-79, by striking all of said lines and inserting in lieu thereof the following: “**of substantial and irreversible impairment of the pregnant woman. Upon completion of the abortion, the**”; and

Further amend said bill and section, page 5, line 93, by striking the word “physical”; and

Further amend said bill and section, page 6, lines 126-127, by striking all of said lines and inserting in lieu thereof the following: “**increased risk of substantial and irreversible impairment.**”.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Mayer, **SB 65**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Justus introduced to the Senate, Michele Newby, Judy Morgan, Chere Chaney, Derecka Purnell, Kansas City; and Taylor Dukes, Columbia.

Senator Goodman introduced to the Senate, Caitlin and Rhiannon Morrow, Bolivar; and Caitlin and Rhiannon were made honorary pages.

Senator Brown introduced to the Senate, his grandchildren, Tristin, Brody and Kennedy Brown, Maya and Rio Sherrill; and Amanda Smith, Rolla.

On behalf of Senator Schmitt, the President introduced to the Senate, Ann Mangelsdorf, and Kate Hettiger, Webster Groves; and Julie Backer, Kirkwood.

On behalf of Senator Pearce, the President introduced to the Senate, Baillie James, Warrensburg; and Issac Robinson, St. Louis County.

Senator Lembke introduced to the Senate, Lt. Col. Randy Fuller, Lt. Col. David Miller and Cadet 2nd Lt. Stephen Couture, representatives of the Civil Air Patrol.

Senator Cunningham introduced to the Senate, Bryan Britt and one hundred thirty eighth grade students from Parkway Central Middle School, St. Louis County.

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

SENATE CALENDAR

FORTY-THIRD DAY—WEDNESDAY, MARCH 30, 2011

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 83	HB 229-Curls and Leara
HB 109-Wells, et al	HB 282-Franz
HB 137-Thomson, et al	HCS for HB 315
HB 142-Gatschenberger	HB 358-Leara and Colona
HB 149-Day, et al	HB 360-Leara
HB 151-Kelly (24) and Mollendorp	HCS for HB 459
HB 153-Black, et al	HCS for HB 465
HB 171-Ruzicka, et al	HB 127-Barnes
HB 184-Dugger	HJR 6-Cierpiot, et al
HB 186-Entlicher, et al	HJR 29-Solon, et al
HB 189-Ruzicka	HCS for HB 213
HB 190-Ruzicka	HCS for HBs 294, 123, 125, 113, 271 & 215
HB 204-Hoskins, et al	HB 252-Cox, et al
HCS for HB 250	HB 731-Parkinson, et al
HB 217-Dugger and Entlicher	HCS for HB 431
HCS for HB 338	HCS for HB 89
HCS for HB 363	HCS for HB 29
HB 415-Richardson, et al	HB 361-Leara
HB 442-Franz	

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)
SS#2 for SCS for SB 62-Schaaf

SB 282-Engler
SS for SB 226-Engler

SENATE BILLS FOR PERFECTION

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|--------------------------------|--|
| 1. SB 81-Pearce, with SCS | 17. SB 116-Justus |
| 2. SB 54-Cunningham, with SCS | 18. SB 10-Rupp |
| 3. SB 200-Crowell | 19. SB 9-Rupp |
| 4. SB 72-Kraus | 20. SB 208-Lager |
| 5. SB 36-Lembke | 21. SB 209-Lager |
| 6. SB 322-Schaefer | 22. SJR 15-Nieves, et al |
| 7. SB 29-Brown, with SCS | 23. SB 147-Schaefer |
| 8. SJR 11-Munzlinger, with SCS | 24. SJR 10-Lembke and Green |
| 9. SB 118-Stouffer | 25. SB 390-Schmitt, et al |
| 10. SB 177-Brown, with SCS | 26. SBs 189, 217, 246, 252 & 79-Schmitt,
with SCS |
| 11. SB 241-Brown and Wasson | 27. SB 231-Lager, et al |
| 12. SB 323-Schaefer, with SCS | 28. SB 25-Schaaf, with SCS |
| 13. SB 59-Keaveny | 29. SB 356-Munzlinger, with SCS |
| 14. SB 60-Keaveny, with SCS | 30. SB 368-Stouffer, with SCS |
| 15. SB 70-Schaefer, with SCS | |
| 16. SB 165-Goodman, with SCS | |

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)
SBs 7, 5, 74 & 169-Goodman, with SCS

SB 23-Keaveny, with SCS & SS for SCS
(pending)
SB 28-Brown

SB 37-Lembke, with SCS
 SB 65-Mayer, et al, with SCS & SA 2
 (pending)
 SB 120-Stouffer
 SB 130-Rupp, with SCS & SS for SCS
 (pending)
 SB 175-Munzlinger, et al, with SA 1
 (pending)
 SB 176-Munzlinger, et al

SB 202-Crowell
 SB 203-Schmitt, et al
 SB 204-Dempsey, et al
 SB 242-Cunningham, with SCS
 SB 247-Pearce, with SS (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

To be Referred

SCR 12-Schaaf

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