The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God is love. Therefore love. Without distinction, without calculation, without procrastination, love.” (Henry Drummond)

Gracious God, it is a new week which is bringing new and greater pressures on us and will increase stress and demands on us. So let us remember that in all that we do we may love one another “without distinction, without calculation” so we keep doing what must be done in gentle and courteous ways and follow the path of love You are leading 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 for Thursday, April 7, 2011 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 Dixon offered Senate Resolution No. 716, regarding Avery Michael Webb, Springfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 717, regarding Rita Ann Holtmeyer, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 718, regarding Andrew Ford, which was adopted.

Senator Kehoe offered Senate Resolution No. 719, regarding Caleb Gilmore, Russellville, which was adopted.

Senator Rupp offered Senate Resolution No. 720, regarding John Aleksick, St. Charles, which was adopted.

Senator Crowell offered Senate Resolution No. 721, regarding Scott K. Vangilder, Jackson, which was adopted.

Senator Rupp offered Senate Resolution No. 722, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald J. Lucchesi, Springfield, which was adopted.

Senator Curls offered Senate Resolution No. 723, regarding Frank White, Lee’s Summit, which was adopted.

Senator Callahan offered Senate Resolution No. 724, regarding the death of Mary Ellen Carnes, Independence, which was adopted.

Senator Kraus offered Senate Resolution No. 725, regarding Richard L. Eubank, Eugene, Oregon, which was adopted.

Senator Crowell offered Senate Resolution No. 726, regarding Catherine Kapfer, which was adopted.

Senator Crowell offered Senate Resolution No. 727, regarding Stephanie Depro, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 728, regarding Rebecca Jane Coleman, which was adopted.

Senator Crowell offered Senate Resolution No. 729, regarding Karlton “Dean” Miller, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 730, regarding Judy Barks-Westrich, which was adopted.

Senator Lamping offered Senate Resolution No. 731, regarding Janet Cole, Brentwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 732, regarding John A. Urkevich, High Ridge, which was adopted.

Senator Richard offered Senate Resolution No. 733, regarding Jim Jackson, which was adopted.

Senator Richard offered Senate Resolution No. 734, regarding Susan Redden, which was adopted.

Senator Richard offered Senate Resolution No. 735, regarding Dowe Quick, which was adopted.
Senator Chappelle-Nadal offered Senate Resolution No. 736, regarding Agnes Wilcox, St. Louis, which was adopted.

Senator Justus offered Senate Resolution No. 737, regarding the Composting and Organics Association of Missouri, which was adopted.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred SS for SCS for HCS for HB 163, as amended, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Senate Select Committee on Redistricting, submitted the following report:

Mr. President: Your Senate Select Committee on Redistricting, to which was referred HCS for HB 193, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Pearce moved that SS for SCS for HCS for HB 163, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Pearce, SS for SCS for HCS for HB 163, as amended, was read the 3rd time and passed by the following vote:

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<tr>
<th>YEAS—Senators</th>
<th>Brown</th>
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<th>Chappelle-Nadal</th>
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<td>Stouffer</td>
<td>Wasson</td>
<td>Wright-Jones—28</td>
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<tr>
<th>NAYS—Senators</th>
<th>Kraus</th>
<th>Lembeck</th>
<th>Nieves</th>
<th>Purgason</th>
<th>Schaaf—5</th>
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<td>Absent—Senator Ridgeway—1</td>
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| Absent with leave—Senators—None |
| Vacancies—None |

The President declared the bill passed.

The emergency clause was adopted by the following vote:

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<tr>
<th>YEAS—Senators</th>
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</table>

| Absent with leave—Senators—None |
| Vacancies—None |

The emergency clause was adopted by the following vote:
Senator Schaefer moved that SB 322 be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schaefer offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 322, Page 1, Section 190.839, Line 2, by striking “2016” and inserting in lieu thereof the following: “2015”; and

Further amend said bill and page, Section 198.439, line 2, by striking “2016” and inserting in lieu thereof the following: “2015”; and

Further amend said bill, page 2, Section 208.437, line 32, by striking “2016” and inserting in lieu thereof the following: “2015”; and

Further amend said bill and page, Section 208.480, line 2, by striking “2016” and inserting in lieu thereof the following: “2013”; and

Further amend said bill and page, Section 338.550, line 10, by striking “2016” and inserting in lieu thereof the following: “2015”; and

Further amend said bill and section, page 3, line 17, by striking “2016” and inserting in lieu thereof the following: “2015”; and

Further amend said bill and page, Section 633.401, line 114, by striking “2016” and inserting in lieu thereof the following: “2015”.

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

On motion of Senator Schaefer, SB 322, as amended, was declared perfected and ordered printed.
Senator Schaaf moved that SB 88 and SB 82, with SCS, be taken up for perfection, which motion prevailed.

SCS for SBs 88 and 82, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 88 and 82

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

Was taken up.

Senator Schaaf moved that SCS for SBs 88 and 82 be adopted.

Senator Lager offered SA 1, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 88 and 82, Page 5, Section 37.005, Line 150, by striking the opening and closing brackets on said line and further amend said line by striking the following: “August 28, 2011” and inserting in lieu thereof the following: “August 28, 2013”.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Schaaf, SB 88 and SB 82, with SCS and SA 1 (pending), were placed on the Informal Calendar.

Senator Munzlinger moved that SB 299, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 299, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 299

An Act to repeal section 252.040, RSMo, and to enact in lieu thereof two new sections relating to restrictions on reintroducing wild elk, with penalty provisions.

Was taken up.

Senator Munzlinger moved that SCS for SB 299 be adopted.

At the request of Senator Munzlinger, SB 299, with SCS (pending), was placed on the Informal Calendar.

At the request of Senator Rupp, SB 264, with SCS, was placed on the Informal Calendar.

Senator Wasson moved that SB 325 be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, SB 325 was declared perfected and ordered printed.

At the request of Senator Schmitt, SB 238 was placed on the Informal Calendar.

Senator Lamping moved that SB 320, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 320, entitled:
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-three new sections relating to domestic violence, with penalty provisions.

Was taken up.

Senator Lamping moved that SCS for SB 320 be adopted.

Senator Lamping offered SS for SCS for SB 320, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 320

An Act to repeal sections 43.545, 211.031, 452.375, 455.010, 455.027, 455.035, 455.038, 455.040, 455.050, 455.060, 455.085, 455.200, 455.501, 455.513, 455.516, 455.520, 455.523, 455.538, 455.540, 455.543, 527.290, 565.074, 595.100, and 595.220, RSMo, and to enact in lieu thereof twenty-five new sections relating to domestic violence, with penalty provisions.

Senator Lamping moved that SS for SCS for SB 320 be adopted.

At the request of Senator Lamping, SB 320, with SCS and SS for SCS (pending), was placed on the Informal Calendar.

Senator Wasson moved that SB 387, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 387, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 387

An Act to repeal sections 544.455, 544.470, and 557.011, RSMo, and to enact in lieu thereof four new sections relating to electronic monitoring of certain offenders.

Was taken up.

Senator Wasson moved that SCS for SB 387 be adopted, which motion prevailed.

On motion of Senator Wasson, SCS for SB 387 was declared perfected and ordered printed.

Senator Rupp moved that SB 132, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 132, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 132

An Act to repeal sections 385.206, and 385.208, RSMo, and to enact in lieu thereof six new sections relating to motor vehicle extended service contracts, with penalty provisions.

Was taken up.

Senator Rupp moved that SCS for SB 132 be adopted.
Senator Rupp offered SS for SCS for SB 132, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 132

An Act to repeal sections 385.200, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

Senator Rupp moved that SS for SCS for SB 132 be adopted, which motion prevailed.

On motion of Senator Rupp, SS for SCS for SB 132 was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SB 36, introduced by Senator Lembke, entitled:

An Act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol, with an emergency clause.

Was taken up.

On motion of Senator Lembke, SB 36 was read the 3rd time and passed by the following vote:

YEAS—Senators
Brown   Callahan   Chappelle-Nadal   Crowell   Cunningham   Curls   Dempsey   Dixon
Engler   Goodman   Justus   Keaveny   Kehoe   Kraus   Lager   Lembke
Mayer   McKenna   Munzlinger   Nieves   Parson   Pearce   Richard   Rupp
Schaaf   Schaefer   Schmitt   Stouffer   Wasson   Wright-Jones—30

NAYS—Senators—None

Absent—Senators
Green   Lamping   Purgason   Ridgeway—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators
Brown   Callahan   Chappelle-Nadal   Crowell   Cunningham   Curls   Dempsey   Dixon
Engler   Goodman   Justus   Keaveny   Kehoe   Kraus   Lager   Lamping
Lembke   Mayer   McKenna   Munzlinger   Nieves   Parson   Pearce   Richard
Rupp   Schaaf   Schaefer   Schmitt   Stouffer   Wasson   Wright-Jones—31

NAYS—Senators—None

Absent—Senators
Green   Purgason   Ridgeway—3
Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SCS for SB 213**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 213**

An Act to repeal sections 475.060 and 475.061, RSMo, and to enact in lieu thereof twenty-six new sections relating to guardianship.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS for SB 213** was read the 3rd time and passed by the following vote:

**YEAS—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

Richard  Rupp  Schaaf  Schaefer  Schmitt  Stouffer  Wasson  Wright-Jones—32

**NAYS—Senators—None**

Absent—Senator Purgason

**Absent—Senators**

Purgason  Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 241**, introduced by Senators Brown and Wasson, entitled:

An Act to repeal sections 144.010, 144.020, 144.030, and 144.070, RSMo, and to enact in lieu thereof four new sections relating to sales tax exemptions for captive wildlife.

Was taken up by Senator Brown.
Senator Pearce assumed the Chair.

On motion of Senator Brown, **SB 241** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

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</table>

**NAYS—Senator Green—1**

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

**SB 268**, introduced by Senator Stouffer, entitled:

An Act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

Was taken up.

On motion of Senator Stouffer, **SB 268** was read the 3rd time and passed by the following vote:

**YEAS—Senators**

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</table>

**NAYS—Senator Green—1**

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.
Senator Dempsey moved that motion lay on the table, which motion prevailed.

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 HJR 3, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to raise animals.

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 291, entitled:

An Act to repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

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 840, entitled:

An Act to amend chapter 135, RSMo, by adding thereto eleven new sections relating to tax incentives to encourage foreign trade.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 11, 2011

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

The following addendum should be made to the appointment of Thomas McVeigh for the Missouri Planning Council for Developmental Disabilities submitted to you on April 1, 2011. Line 4 should read:

William Horn, withdrawn

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor
Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 11, 2011

To the Senate of the 96th General Assembly for the State of Missouri:
The following addendum should be made to the appointment of Cecilia Davis for the Child Abuse and Neglect Review Board submitted to you on April 1, 2011. Line 3 should read:

her successor is duly appointed and qualified; vice, Mary L. Buren, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

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

REFERRALS

President Pro Tem Mayer referred HCS for HB 45 to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred HCR 30; HCR 31; and HCS for HCR 39 to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

April 7, 2011

Ms. Terry Spieler
Secretary of the Senate
State Capitol
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senator Mike Parson to the Missouri Health Facilities Review Committee.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Max and Annarose Overshiner, Lucy Muller, Ella Stroh, Sophia Casto, Xane Keenan, Zach Cunning, Tate Windmoeller, Pete Canfield, Thomas Jureczyk and Shannon Keyes, representatives of PedNet Coalition, Columbia.

Senator Pearce introduced to the Senate, Eastern Commissioner Scott Sader, Western Commissioner Destry Hough and Clerk Diane Thompson, Johnson County.

Senator Goodman introduced to the Senate, Tyler White, Reeds Spring.
On motion of Senator Dempsey, the Senate adjourned under the rules.

**SENATE CALENDAR**

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**FIFTIETH DAY—TUESDAY, APRIL 12, 2011**

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**FORMAL CALENDAR**

**HOUSE BILLS ON SECOND READING**

- HB 458-Loehner, et al
- HCS for HB 641
- HCS for HB 192
- HCS for HBs 470 & 429
- HCS for HB 336
- HCS for HB 28
- HCS for HB 546
- HCS for HB 468
- HB 677-Wells, et al
- HB 737-Redmon and Shumake
- HCS for HJR 3
- HB 291-Denison, et al
- HCS for HB 840

**THIRD READING OF SENATE BILLS**

- SCS for SB 11-McKenna
  (In Fiscal Oversight)
- SJR 10-Lembke and Green
  (In Fiscal Oversight)
- SCS for SBs 26 & 106-Wasson
  (In Fiscal Oversight)
- SB 204-Dempsey, et al
  (In Fiscal Oversight)
- SCS for SB 100-Stouffer
  (In Fiscal Oversight)
- SS for SCS for SB 254-Stouffer
  (In Fiscal Oversight)
- SCS for SB 323-Schaefer
  (In Fiscal Oversight)
- SS for SB 286-McKenna
  (In Fiscal Oversight)
- SCS for SB 122-Schaaf
  (In Fiscal Oversight)

**SENATE BILLS FOR PERFECTION**

- SB 48-Wright-Jones, with SCS
- SB 230-Lager, with SCS
- SB 360-Lager
- SB 337-Munzlinger, with SCS
- SB 300-Munzlinger, with SCS

**HOUSE BILLS ON THIRD READING**

- HCS for HB 14, with SCS (Schaefer)
- HB 15-Silvey (Schaefer)
HCS for HB 45, with SCS (Pearce)  
(In Fiscal Oversight)  
HB 71-Nasheed, et al  
HCS for HB 61  
HCS for HB 174  

HB 358-Leara and Colona (Schmitt)  
HB 209-Guernsey, et al, with SCS  
(Lager)  
HCS for HB 193

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt  
SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1  
(pending)  
SBs 7, 5, 74 & 169-Goodman, with SCS  
SB 10-Rupp  
SB 23-Keaveny, with SCS & SS for SCS  
(pending)  
SB 25-Schaaf, with SCS & SS for SCS  
(pending)  
SB 28-Brown  
SB 37-Lembke, with SCS  
SB 72-Kraus, with SS (pending)  
SBs 88 & 82-Schaaf, with SCS & SA 1  
(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  
SBs 189, 217, 246, 252 & 79-Schmitt,  
with SCS  
SB 200-Crowell  
SB 203-Schmitt, et al, with SS (pending)  
SB 208-Lager  
SB 209-Lager  
SB 228-Pearce  
SB 238-Schmitt, et al  
SB 242-Cunningham, with SCS & SS for SCS  
(pending)  
SB 247-Pearce, with SS (pending)  
SB 264-Rupp, with SCS  
SB 278-Munzlinger, et al  
SB 280-Purgason, et al, with SCS & SS  
for SCS (pending)  
SBs 291, 184 & 294-Pearce, with SCS  
(pending)  
SB 299-Munzlinger, with SCS (pending)  
SB 320-Lamping, et al, with SCS & SS for  
SCS (pending)  
SBs 369 & 370-Cunningham, with SCS  
SB 390-Schmitt, et al  
SB 420-Mayer, with SCS  
SJR 11-Munzlinger, with SCS  
SJR 15-Nieves, et al

RESOLUTIONS

Reported from Committee

SR 179-Purgason