

Journal of the Senate

FIRST REGULAR SESSION

NINETEENTH DAY—THURSDAY, FEBRUARY 10, 2011

The Senate met pursuant to adjournment.

Senator Rupp in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will bind up the injured, and I will strengthen the weak, says the Lord.” (Ezekiel 34:16)

Merciful God, we are mindful of those who are in need of Your help, those injured in accidents and from dealing with the snow that fell these several days. We are grateful for those called to clear our roads and assist those needing help. Watch over our travel and bring us safely home so we may do the work You would have us do and give assistance only we can provide. 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	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators—None

Absent with leave—Senators

Crowell Munzlinger—2

Vacancies—1

The Senate observed moments of silence in memory of former State Senator Walt Mueller, Valley Park; and in memory of Elmer Munzlinger, Williamstown.

Senator Dempsey announced that photographers from the Gasconade County Republican were given

permission to take pictures in the Senate Chamber today.

RESOLUTIONS

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 243, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bruce Tague, Wyaconda, which was adopted.

On behalf of Senator Munzlinger, Senator Dempsey offered Senate Resolution No. 244, regarding Dale R. Ludwig, Jefferson City, which was adopted.

Senator Lamping offered Senate Resolution No. 245, regarding James Kerr, Clayton, which was adopted.

INTRODUCTION OF BILLS

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

SB 253—By Callahan and Cunningham.

An Act to repeal sections 163.036 and 163.037, RSMo, and to enact in lieu thereof one new section relating to summer school.

SB 254—By Stouffer.

An Act to repeal sections 302.309 and 577.023, RSMo, and to enact in lieu thereof two new sections relating to intoxicated-related traffic offenses, with existing penalty provisions.

SB 255—By Keaveny.

An Act to repeal section 130.011, RSMo, and to enact in lieu thereof two new sections relating to campaign finance.

SB 256—By Kraus.

An Act to repeal sections 135.300, 135.305, 135.307, 135.309, 135.311, 135.313, 135.535, 135.700, 135.750, 137.1018, 143.119, and 620.495, RSMo, and to enact in lieu thereof one new section relating to the repeal of certain tax credit programs.

SB 257—By Kraus.

An Act to repeal section 135.352, RSMo, and to enact in lieu thereof one new section relating to low-income housing tax credits.

SB 258—By Kraus.

An Act to repeal sections 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof three new sections relating to the historic preservation tax credit program.

SB 259—By Kraus.

An Act to repeal sections 32.115, 100.286, 100.297, 100.850, 135.150, 135.352, 135.460, 135.487, 135.550, 135.600, 135.967, 143.471, 148.064, 148.400, 253.559, 348.430, 348.432, 348.505, 375.774, 376.745, 376.975, 447.708, 620.1881, and 660.055, RSMo, and to enact in lieu thereof twenty-four new sections relating to the imposition of sunset provisions on certain tax credit programs.

SB 260—By Wasson.

An Act to repeal section 302.302, RSMo, and to enact in lieu thereof four new sections relating to the endangerment of emergency workers, with penalty provisions.

SB 261—By Goodman.

An Act to repeal section 568.040, RSMo, and to enact in lieu thereof one new section relating to the crime of nonsupport, with existing penalty provisions.

SB 262—By Goodman.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

SB 263—By Green.

An Act to amend chapter 367, RSMo, by adding thereto one new section relating to pawnbrokers, with penalty provisions.

SB 264—By Rupp.

An Act to repeal sections 128.346 and 128.348, RSMo, and to enact in lieu thereof two new sections relating to the composition of congressional districts.

SB 265—By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to an advanced placement incentive grant.

SB 266—By Dempsey.

An Act to repeal section 115.015, RSMo, and to enact in lieu thereof one new section relating to election authorities.

SJR 16—By Goodman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to religious freedom.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Marvin Wright, as a member of the Missouri Higher Education Loan Authority;

Also,

Sara Parker Pauley, as Director of the Department of Natural Resources;

Also,

William Dalton, Democrat, as a member of the State Environmental Improvement and Energy Resources Authority;

Also,

Dianne Modrell, Democrat, as a member of the State Committee of Marital and Family Therapists;

Also,

Reuben Shelton, Democrat, as a member of the Missouri Development Finance Board;

Also,

William A. Krodinger, Independent, as a member of the Missouri Health Facilities Review Committee;

Also,

Ingrid D. Taylor, as a member of the MO HealthNet Oversight Committee;

Also,

Sarah R. Maguffee, Democrat, as a member of the Health and Educational Facilities Authority;

Also,

Patrice L. Komoroski, Independent, as a member of the Missouri Board for Respiratory Care.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 7**, **SB 5**, **SB 74** and **SB 169** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 2**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 71**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 36**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 113** and **SB 95**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 213—Judiciary and Civil and Criminal Jurisprudence.

SB 214—Health, Mental Health, Seniors and Families.

SB 215—Health, Mental Health, Seniors and Families.

SB 216—Health, Mental Health, Seniors and Families.

SB 217—Jobs, Economic Development and Local Government.

SB 218—Judiciary and Civil and Criminal Jurisprudence.

SB 219—Financial and Governmental Organizations and Elections.

- SB 220**—General Laws.
- SB 221**—Commerce, Consumer Protection, Energy and the Environment.
- SB 222**—General Laws.
- SB 223**—Jobs, Economic Development and Local Government.
- SB 224**—Ways and Means and Fiscal Oversight.
- SB 225**—Financial and Governmental Organizations and Elections.
- SB 226**—Financial and Governmental Organizations and Elections.
- SB 227**—Judiciary and Civil and Criminal Jurisprudence.
- SB 228**—Education.
- SB 229**—Small Business, Insurance and Industry.
- SB 230**—Commerce, Consumer Protection, Energy and the Environment.
- SB 231**—Jobs, Economic Development and Local Government.
- SB 232**—Jobs, Economic Development and Local Government.
- SB 233**—Health, Mental Health, Seniors and Families.
- SB 234**—Health, Mental Health, Seniors and Families.
- SB 235**—Health, Mental Health, Seniors and Families.
- SB 236**—Health, Mental Health, Seniors and Families.
- SB 237**—Judiciary and Civil and Criminal Jurisprudence.
- SB 238**—Judiciary and Civil and Criminal Jurisprudence.
- SB 239**—Progress and Development.
- SB 240**—Progress and Development.
- SB 241**—Ways and Means and Fiscal Oversight.
- SB 242**—General Laws.
- SB 243**—General Laws.
- SB 244**—Health, Mental Health, Seniors and Families.
- SB 245**—Health, Mental Health, Seniors and Families.
- SB 246**—Jobs, Economic Development and Local Government.
- SB 247**—Education.
- SB 248**—Jobs, Economic Development and Local Government.
- SB 249**—Jobs, Economic Development and Local Government.

SB 250—Judiciary and Civil and Criminal Jurisprudence.

SB 251—Ways and Means and Fiscal Oversight.

SB 252—Jobs, Economic Development and Local Government.

SJR 15—General Laws.

COMMUNICATIONS

Senator Keaveny submitted the following:

February 10, 2011

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

Dear Ms. Spieler:

For purposes of clarification of subject matter, I respectfully request Senate Bill 61 to be removed from the Consent Calendar.

Sincerely,
/s/ Joseph P. Keaveny
Senator Joseph Keaveny
District 4

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, Diane Buhr, Debbie Smith, Jane Vickery and nineteen students representing Fred Saigh Leadership Group.

Senator Cunningham introduced to the Senate, Ben Swidenski, St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 14, 2011.

SENATE CALENDAR

TWENTIETH DAY—MONDAY, FEBRUARY 14, 2011

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 253-Callahan and Cunningham
SB 254-Stouffer
SB 255-Keaveny
SB 256-Kraus

SB 257-Kraus
SB 258-Kraus
SB 259-Kraus
SB 260-Wasson

SB 261-Goodman
 SB 262-Goodman
 SB 263-Green
 SB 264-Rupp

SB 265-Rupp
 SB 266-Dempsey
 SJR 16-Goodman

HOUSE BILLS ON SECOND READING

HCS for HB 45
 HCS for HBs 73 & 47

HCS for HB 163

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna (In Fiscal Oversight)
 SCS for SB 19-Schmitt (In Fiscal Oversight)

SCS for SB 18-Schmitt
 SB 33-Stouffer (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SBs 7, 5, 74 & 169-Goodman, with SCS
 SJR 2-Stouffer

SB 3-Stouffer
 SBs 113 & 95-Parson and Engler, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 8-Goodman, with SCS & SS for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/10

SB 71-Parson
 SB 83-Pearce

SB 36-Lembke

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