

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, FEBRUARY 28, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“How precious also are your thoughts unto me, O God! How great is the sum of them.” (Psalm 139:17-18)

We rejoice in You O God, knowing the joy of Your thoughts about us. We thank You for the blessings of this day to do more good with our lives and serve You with faithfulness. Help us use our intelligence wisely at every opportunity to effectively help those who are hurting and provide direction for those who are lost. May we have eyes of faith and a courageous heart so we can live each day knowing that everything You desire of us may be fulfilled. 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 Brown offered Senate Resolution No. 1537, regarding Waynesville R-VI School District, which was adopted.

Senator Brown offered Senate Resolution No. 1538, regarding St. James R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1539, regarding Salem R-80 School District, which was adopted.

Senator Brown offered Senate Resolution No. 1540, regarding Rolla 31 School District, which was adopted.

Senator Brown offered Senate Resolution No. 1541, regarding Phelps County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1542, regarding Osage County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1543, regarding Osage County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1544, regarding Osage County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1545, regarding Maries County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1546, regarding Maries County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1547, regarding Green Forest R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1548, regarding Gasconade County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1549, regarding Gasconade County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1550, regarding Dent-Phelps R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1551, regarding Crocker R-II School District, which was adopted.

Senator Lager offered Senate Resolution No. 1552, regarding Cody Hummer, which was adopted.

Senator Lager offered Senate Resolution No. 1553, regarding Karson Hill, which was adopted.

Senator Lager offered Senate Resolution No. 1554, regarding Justin Hicks, which was adopted.

Senator Lager offered Senate Resolution No. 1555, regarding Trevor Burkhart, which was adopted.

Senator Lager offered Senate Resolution No. 1556, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Jim Mason, Princeton, which was adopted.

Senator Rupp offered Senate Resolution No. 1557, regarding Madison Howard, O'Fallon, which was adopted.

Senator Schmitt offered Senate Resolution No. 1558, regarding the Saint Louis Ballet, which was adopted.

Senator Wasson offered Senate Resolution No. 1559, regarding Steve Tallaksen, Nixa, which was adopted.

Senator Kraus offered Senate Resolution No. 1560, regarding the Fiftieth Anniversary of the Raytown Rotary Club, which was adopted.

Senator Dixon offered Senate Resolution No. 1561, regarding the Springfield Fire Department, which was adopted.

Senator Dixon offered Senate Resolution No. 1562, regarding the Home Builders Association of Greater Springfield, which was adopted.

INTRODUCTION OF BILLS

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

SB 845—By Keaveny.

An Act to repeal section 67.1305, RSMo, and to enact in lieu thereof one new section relating to members of economic development tax boards.

SB 846—By Engler.

An Act to amend chapter 441, RSMo, by adding thereto one new section relating to multifamily residential property.

SB 847—By Rupp and Dempsey.

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

SB 848—By Rupp.

An Act to repeal sections 32.069, 34.055, 34.057, 160.281, 160.283, 161.421, 161.424, 287.160, 287.745, 335.233, 340.387, 348.125, 408.020, 408.040, 409.5-509, 409.6-604, 414.356, 414.570, 444.870, 447.539, 630.460, and 643.079, RSMo, and to enact in lieu thereof twenty-two new sections relating to interest rates.

SB 849—By Purgason.

An Act to repeal sections 260.302, 260.305, 260.310, 260.315, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof nine new sections relating to solid waste management.

SB 850—By Purgason.

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to confiscated animals, with a penalty provision.

SB 851—By Crowell.

An Act to repeal section 105.456, RSMo, and to enact in lieu thereof one new section relating to conflicts of interest for legislators.

SB 852—By Crowell.

An Act to amend chapter 87, RSMo, by adding thereto one new section relating to firemen's retirement.

SB 853—By Crowell.

An Act to amend chapter 87, RSMo, by adding thereto one new section relating to firemen's retirement.

SB 854—By Mayer.

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

SB 855—By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to food stamps assistance.

SENATE BILLS FOR PERFECTION

Senator Green moved that **SB 655**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 655**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 655

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education capital fund.

Was taken up.

Senator Green moved that **SCS** for **SB 655** be adopted.

President Kinder assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 655, Page 1, Section 173.480, Line 8, by inserting immediately after the following: "projects." the following: "**No moneys shall be distributed through the fund without a line item appropriation for a specific project.**"

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

Senator Pearce assumed the Chair.

Senator Green moved that **SCS** for **SB 655**, as amended, be adopted, which motion prevailed.

On motion of Senator Green, **SCS** for **SB 655**, as amended, was declared perfected and ordered printed.

Senator Dempsey moved that **SB 648**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 648**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 648

An Act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 648** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 648** was declared perfected and ordered printed.

Senator Parson moved that **SB 568**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 568**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 568

An Act to repeal sections 302.302 and 304.022, RSMo, and to enact in lieu thereof five new sections relating to how motorists respond to emergency personnel working upon or around highways, with penalty provisions.

Was taken up.

Senator Parson moved that **SCS** for **SB 568** be adopted.

At the request of Senator Parson, **SB 568**, with **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was 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 1441**, entitled:

An Act to repeal sections 287.450, 287.460, 287.520, 287.650, 287.655, 288.036, 288.055, 288.121, 288.128, 288.130, 288.160, 288.170, and 288.250, RSMo, and to enact in lieu thereof thirteen new sections relating to employment law, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, his wife, Jaime and their daughters, Sophia and Olivia, Glendale; and Sophia was made an honorary page.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Arthur Freeland, M.D., and Dr. Robert Schneider, Kirksville.

Senator Richard introduced to the Senate, Gabrielle Kinnett, Joplin.

Senator Mayer introduced to the Senate, Senator Steve Morris, Kansas; Neil Osten, Josh Ewing and Max Behlke, representing the National Conference of State Legislatures.

Senator Brown introduced to the Senate, Ethan Lee, James Scurlock, Tanner Eisenbath and Kimberly Allis, Linn State Technical College.

Senator Brown introduced to the Senate, David Dunn, Springfield.

Senator Parson introduced to the Senate, Dr. Becky Crocker, Niki Wallen, Jody Pena and forty-five students from Ozarks Technical Community College, Springfield.

Senator Parson introduced to the Senate, Steve Lesh, Herb Hamann, Terry Cox, Tom Sneed, Ellis Hall and eighty students from Southwest Baptist University, Bolivar.

Senator Parson introduced to the Senate, Jerry L. Greer, Gary Noland, Judy Parkhurst, Kip Salmon and Marsha Drennon, State Fair Community College, Sedalia.

Senator Kehoe introduced to the Senate, Dr. Gardner and members of the Missouri Dermatological Society from around the state.

Senator Kehoe introduced to the Senate, Deann Branson, Amanda Schmitz, Laura Tharp and sixty fourth grade students from East Elementary School, Jefferson City.

Senator Mayer introduced to the Senate, Kaleb Loughary, Malden; and Randy Moore, Broseley.

Senator Nieves introduced to the Senate, Denise Peters, Union.

On behalf of Senator Pearce, the President introduced to the Senate, Dawn Dauer, Cape Girardeau; Tammy Kelley, Springfield; Tom Klebba, Linn; Justin Johnson, Holden; Adam Trower, Bowling Green; and Gina Raines, Paris.

On behalf of Senator Pearce, the President introduced to the Senate, Julie Lancaster, Deborah Lawson, Kim Wright, Lee Clark, Emily Smith, Heidi Ruhnke, Monique Agueros, Tammy Howard, Russell Smithson, Linda Schankenberg and Diana Gladfelter, representatives of Missouri State Teachers Association.

Senator Schaefer introduced to the Senate, Bob McCulloch and members of the Missouri Association of Prosecuting Attorneys from around the state.

Senator Lembke introduced to the Senate, Dr. David Schneider, Sunset Hills.

Senator Dempsey introduced to the Senate, Donna Baeten, chaperones, and fourth grade students from Harvest Ridge Elementary School, St. Charles.

Senator Pearce introduced to the Senate, Mike Trammell, Samantha Lewandowski, Sarah Meyer, Sarah Kinnison, Megan Alphin, Aaron Horschig, Jennifer Bedell, Samantha Greer, Jennifer Donner and May Koestner, representatives of the Missouri Physical Therapy Association.

Senator Curls introduced to the Senate, Lyne't C. Smith and her children, Jacque-Adam, Jacque-Arthur, Anwar, II, Sebastian and Aidan, Kansas City; and Jacque-Adam, Jacque-Arthur, Anwar, II, Sebastian and Aidan were made honorary pages.

Senator Mayer introduced to the Senate, his wife Nancy, and Alexis Smith, Logan Quertermous, Lacy Midgett and Kyle Kent, Dexter.

Senator Goodman introduced to the Senate, Don Trotter, Mt. Vernon; and Matt Selby, Galena.

Senator Goodman introduced to the Senate, his cousin, Scott Pinkley, Republic.

Senator Goodman introduced to the Senate, Mike and Valerie Bennett, Purdy.

On behalf of Senator Pearce, the President introduced to the Senate, Dan Cast, Holden.

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

SENATE CALENDAR

THIRTY-SECOND DAY—WEDNESDAY, FEBRUARY 29, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 830-Wasson	SB 844-Lamping
SB 831-Wasson	SB 845-Keaveny
SB 832-Wasson	SB 846-Engler
SB 833-Ridgeway	SB 847-Rupp and Dempsey
SB 834-Mayer and Parson	SB 848-Rupp
SB 835-Kehoe	SB 849-Purgason
SB 836-Schaaf	SB 850-Purgason
SB 837-Dempsey	SB 851-Crowell
SB 838-Richard	SB 852-Crowell
SB 839-Lembke	SB 853-Crowell
SB 840-Ridgeway	SB 854-Mayer
SB 841-Ridgeway	SB 855-Schaaf
SB 842-Lamping	SJR 51-Lembke
SB 843-Lamping	

HOUSE BILLS ON SECOND READING

HCS for HJR 43	HB 1219-Elmer, et al
HB 1135-Smith (150), et al	HB 1104-Schoeller and Smith (150)
HCS for HB 1140	HB 1075-Sater
HB 1036-Dugger	HB 1093-Elmer, et al
HB 1039-Leara	HB 1141-Gatschenberger, et al
HB 1099-Fitzwater, et al	HB 1156-Rowland, et al
HB 1100-Fitzwater, et al	HB 1179-Hampton, et al
HB 1105-Day	HB 1185-Parkinson and Kelley (126)
HCS for HB 1311	HB 1250-Ruzicka, et al
HCS for HB 1329	HB 1251-Ruzicka

HB 1269-Brattin, et al	HB 1347-Franz
HB 1103-Crawford and Wyatt	HCS for HB 1457
HB 1192-Koenig, et al	HB 1517-Nolte, et al
HB 1041-Thomson	HCS for HJR 41
HCS for HB 1059	HCS for HBs 1186 & 1147
HB 1107-Dugger, et al	HCS for HB 1308
HB 1112-Gosen	HCS for HB 1442
HB 1128-Largent	HB 1131-Fisher
HB 1188-Allen, et al	HB 1441-Fisher

SENATE BILLS FOR PERFECTION

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| 1. SB 690-Engler | 7. SB 710-Engler, et al, with SCS |
| 2. SB 578-Parson | 8. SB 635-Pearce, with SCS |
| 3. SB 562-Dixon, et al, with SCS | 9. SB 717-Stouffer |
| 4. SB 563-Dixon, with SCS | 10. SJR 37-Crowell |
| 5. SB 736-Engler | 11. SB 699-Goodman, et al, with SCS |
| 6. SB 727-Schaaf | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer	SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 439-Mayer, with SCS	SB 568-Parson, with SCS (pending)
SB 442-Stouffer, with SCS	SB 577-Goodman and Rupp, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)	SB 589-Kraus, with SCS (pending)
SB 465-Schaaf	SB 591-Parson, with SCS & SA 1 (pending)
SB 470-Dixon, with SCS	SB 596-Brown, with SCS
SB 474-Kraus, with SCS & SA 1 (pending)	SB 621-Brown, with SCS & SS for SCS (pending)
SB 479-Crowell	SB 749-Lamping, with SS & SA 1 (pending)
SB 480-Stouffer, with SCS	SJR 29-Lamping, with SS & SA 1 (pending)
SB 492-Crowell, with SS (pending)	
SB 547-Purgason	

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

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