

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-THIRD DAY—THURSDAY, MARCH 1, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“As a man thinks in his heart, so he is.” (Proverbs 23:7)

Creator God, hear our prayers this morning as we prepare to finish up our work and head home to be with those we love. Let us be mindful that You are the Creator and we are Your creation. You have created us so that we might be comforted knowing that we are just men and women, husbands and wives, fathers and mothers called to be interdependent with one another and, therefore, in need of one another to be made whole by thinking no more of ourselves than we should. Help us use this time for rest and firm up our relationships with one another. 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	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—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1578, regarding the Finke Theatre, California, which was adopted.

Senator Kehoe offered Senate Resolution No. 1579, regarding Don and Ruth Ann Schnieders, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1580, regarding Veronica Jones, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1581, regarding Twehous Excavating, Jefferson City, which was adopted.

Senator Rupp offered Senate Resolution No. 1582, regarding C. Alexander Chivetta, Wentzville, which was adopted.

Senator Goodman offered Senate Resolution No. 1583, regarding the Monett Area Community Foundation, which was adopted.

Senator Goodman offered Senate Resolution No. 1584, regarding Ron Overeem, which was adopted.

Senator Lager offered Senate Resolution No. 1585, regarding Shaylee Carlock, Turney, which was adopted.

Senator Kraus offered Senate Resolution No. 1586, regarding the Class 4 State Champion Blue Springs High School Wrestling Team, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the Missouri Department of Transportation's statewide construction program has averaged \$1.2 billion in the immediate past and moving forward it will be about approximately half that amount; and

WHEREAS, the Department of Transportation has entered into maintenance mode, which means it will have to direct all available resources to taking care of highways and bridges the state currently owns and not build new projects; and

WHEREAS, the good highways and bridges Missourians have enjoyed since the passage of Amendment 3 will start to deteriorate without more money for transportation projects; and

WHEREAS, the General Assembly understands the importance of finding innovative ways to fund the transportation infrastructure needs of this state:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Transportation Needs in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of four majority party members to be appointed by the President Pro Tempore of the Senate and three minority party members to be appointed by the Minority Leader of the Senate, and four majority party

members to be appointed by the Speaker of the House of Representatives, and three minority party members to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the transportation infrastructure needs of this state, examine any other issues that the Committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of funding Missouri's transportation needs; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-sixth General Assembly and the First Regular Session of the Ninety-seventh General Assembly through December 31, 2012, as authorized by State v. Atterbury, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2013, and the authority of such Committee shall terminate on December 31, 2012.

Senator Rupp assumed the Chair.

INTRODUCTION OF BILLS

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

SB 881—By Pearce.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for processed biomass engineered fiber fuel.

SB 882—By Pearce.

An Act to repeal section 143.173, RSMo, and to enact in lieu thereof one new section relating to tax deductions for job creation by small businesses.

SB 883—By Richard.

An Act to amend chapter 128, RSMo, by adding thereto one new section relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

SB 884—By Nieves.

An Act to repeal sections 571.020, 571.101, and 571.111, RSMo, and to enact in lieu thereof three new sections relating to weapons, with existing penalty provisions.

SB 885—By Engler.

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof one new section relating to prohibited acts involving the use of explosives.

SB 886—By Engler.

An Act to repeal sections 383.015, 383.016, 383.035, 383.037, and 383.206, RSMo, and to enact in lieu

thereof seven new sections relating to malpractice insurance.

SB 887—By Ridgeway.

An Act to repeal section 94.902, RSMo, and to enact in lieu thereof one new section relating to sales taxes for public safety.

SB 888—By Ridgeway.

An Act to repeal section 67.320, RSMo, and to enact in lieu thereof one new section relating to establishment of a municipal court by a county.

SB 889—By Lager.

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.595, 60.610, 60.620, 260.255, 414.530, 414.560, 414.570, 640.100, 644.051, and 644.145, RSMo, and to enact in lieu thereof seventeen new sections relating to natural resources.

SB 890—By Lager.

An Act to repeal sections 361.070 and 361.080, RSMo, and to enact in lieu thereof two new sections relating to division of finance examinations, with existing penalty provisions.

SB 891—By Lager.

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

SB 892—By Kraus.

An Act to repeal sections 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, and 115.292, RSMo, and to enact in lieu thereof twenty-seven new sections relating to uniform military and overseas voters, with existing penalty provisions.

SB 893—By Kraus.

An Act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

SB 894—By Curls.

An Act to repeal sections 301.020 and 571.101, RSMo, and to enact in lieu thereof two new sections relating to applications for certain licenses and permits, with existing penalty provisions.

SB 895—By Curls.

An Act to amend chapters 160, 161, 163, 170, and 171, RSMo, by adding thereto five new sections relating to school districts classified as unaccredited or provisionally accredited by the state board of education.

SB 896—By Schaefer.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to tobacco.

SB 897—By Schaefer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

SB 898—By Schaefer.

An Act to repeal section 643.225, RSMo, and to enact in lieu thereof one new section relating to asbestos abatement.

SB 899—By Green.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to the transfer of certain fund balances to the general revenue fund.

SB 900—By Munzlinger.

An Act to repeal sections 221.070 and 488.5028, RSMo, and to enact in lieu thereof three new sections relating to delinquent debts for the cost of imprisonment in a county jail.

SB 901—By Lembke.

An Act to repeal sections 100.100, 349.025, 349.050, and 349.055, RSMo, and to enact in lieu thereof four new sections relating to industrial development bonding authority.

SB 902—By Lamping.

An Act to repeal section 393.150, RSMo, and to enact in lieu thereof two new sections relating to the regulation of public utilities.

SB 903—By Lamping.

An Act to repeal section 578.030, RSMo, and to enact in lieu thereof two new sections relating to dog fighting.

SB 904—By Mayer.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to ambulatory surgical centers.

SB 905—By Mayer.

An Act to amend chapters 49, 67, 71, 247, 248, 249, and 278, RSMo, by adding thereto seven new sections relating to political subdivision contracts for water storage tanks.

SB 906—By Kraus.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the eligibility of certain taxpayers for programs administered by the department of economic development.

SB 907—By Schaaf.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organization postings.

THIRD READING OF SENATE BILLS

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 by Senator Green.

On motion of Senator Green, **SCS** for **SB 655** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Lembke Nieves—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

Senator Green 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 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 by Senator Dempsey.

On motion of Senator Dempsey, **SCS** for **SB 648** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	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—32

NAYS—Senators—None

Absent—Senator Cunningham—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

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

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

SB 568, introduced by Senator Parson, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with existing penalty provisions.

Was taken up.

On motion of Senator Parson, **SB 568** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	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—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

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

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

SB 736, introduced by Senator Engler, entitled:

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the use of the special road and bridge tax in certain counties.

Was taken up.

On motion of Senator Engler, **SB 736** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	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—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

Senator Engler 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 563**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 563

An Act to repeal section 174.450, RSMo, and to enact in lieu thereof one new section relating to the governing board of Missouri State University, with an emergency clause.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 563** was read the 3rd time and passed 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—Senator McKenna—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	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—32

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

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

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

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

SCS for **SB 562**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 562

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

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 562** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke Nieves—3

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

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

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

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

SB 578, introduced by Senator Parson, entitled:

An Act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

Was taken up.

On motion of Senator Parson, **SB 578** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	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—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

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

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

SB 690, introduced by Senator Engler, entitled:

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

Was taken up.

On motion of Senator Engler, **SB 690** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	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—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

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

Senator Engler 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 **HJR 45**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

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 1318**, entitled:

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

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 1731**, entitled:

An Act to repeal sections 313.321 and 313.835, RSMo, and to enact in lieu thereof two new sections relating to the gaming moneys.

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 1030**, entitled:

An Act to repeal sections 32.028, 32.087, 105.716, and 144.190, RSMo, and to enact in lieu thereof fifteen new sections relating to collection of state money, with a penalty provision and an emergency clause for a certain section.

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 **HCS** for **HB 1139**, entitled:

An Act to amend chapter 104, RSMo, by adding thereto two new sections relating to Missouri state employees retirement incentives.

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 1106**, entitled:

An Act to repeal sections 52.010, 54.033, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONCURRENT RESOLUTIONS

HCR 8, introduced by Representative Guernsey, et al, entitled:

HOUSE CONCURRENT RESOLUTION NO. 8

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Was taken up by Senator Munzlinger.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

On motion of Senator Munzlinger, **HCR 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Dempsey	Dixon	Goodman	Kraus	Lager	Mayer	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Stouffer	Wasson—19					

NAYS—Senators

Callahan	Cunningham	Curls	Green	Keaveny	Lembke	McKenna	Wright-Jones—8
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Absent—Senators

Engler	Justus	Kehoe	Lamping	Schmitt—5
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Absent with leave—Senators

Chappelle-Nadal	Crowell—2
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Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Munzlinger, title to the concurrent resolution was agreed to.

Senator Munzlinger moved that the vote by which the concurrent resolution passed be reconsidered.

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

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:

Naveed Razzaque, as a member of the Missouri Board of Nursing Home Administrators;

Also,

Thomas E. George, Democrat, as a member of the Health and Educational Facilities Authority of the State of Missouri;

Also,

Michael Mahler, Democrat, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Roberta LeGrand and Lloyd Ray Tubaugh, as members of the Missouri Workforce Investment Board;

Also,

Gary D. Duncan, as a member of the Mental Health Commission;

Also,

Geneva Shearburn, as a member of the Board of Certification of Interpreters;

Also,

Sarah Burkemper and James J. O'Donnell, Democrats, as members of the Truman State University Board of Governors.

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 711**, 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 **SB 722**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 726**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 623**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 569**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 607**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 714**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 743**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 689**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 620**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 744**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 650**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SJR 48**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SJR 50**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

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 was referred **SS** for **SCS** for **SB 699**, 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.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 24**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 21**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

INTRODUCTION OF BILLS

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

SB 908—By Kehoe.

An Act to repeal sections 569.140, 569.145, and 569.150, RSMo, and to enact in lieu thereof two new sections relating to the crime of trespass, with existing penalty provisions.

SB 909—By Cunningham, Munzlinger, Dempsey and Wasson.

An Act to repeal sections 490.660, 490.670, 490.680, 490.690, and 490.692, RSMo, and to enact in lieu thereof five new sections relating to records of regularly conducted activity.

SB 910—By Ridgeway.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to use of the state website domain name by political subdivisions.

SB 911—By Ridgeway.

An Act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to employee social security numbers.

SB 912—By McKenna and Green.

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to transient guest taxes in a certain city.

CONCURRENT RESOLUTIONS

Senator Ridgeway offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 27

Relating to the calling of a convention proposing amendments to the United States Constitution.

WHEREAS, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two-thirds of the Legislatures of the several states (“amendments convention”); and

WHEREAS, the Legislature of the State of Missouri favors the proposal and ratification of an amendment to said Constitution which shall provide that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby respectfully applies, as provided for in Article V of the Constitution of the United States, for an amendments convention to be called for the purpose of proposing an amendment which shall provide that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States; and

BE IT FURTHER RESOLVED that the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States; and

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the Legislatures of the several States have made application for an equivalently limited amendments convention; and

BE IT FURTHER RESOLVED that a certified copy of this application be dispatched by the Secretary of the Missouri Senate to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each house of the several State Legislatures requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

Read 1st time.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

SENATE HEARING SCHEDULE
 96th GENERAL ASSEMBLY
 SECOND REGULAR SESSION
 MARCH 1, 2012

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation SCR 1 (Stouffer)	
8:15 a.m.		Health, Mental Health, Seniors and Families SCR 1 (Ridgeway)		
8:30 a.m.			Gubernatorial Appointments SL (Mayer)	Ways and Means and Fiscal Oversight SCR 1 (Purgason) Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs SL (Crowell)
9:00 a.m.		Progress and Development SL (Callahan)		
12:00 Noon		Small Business, Insurance and Industry SCR 1 (Rupp) Rules, Joint Rules, Resolutions and Ethics SL (Dempsey)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:30 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager) General Laws SCR 1 (Cunningham)	Governmental Accountability SCR 1 (Lembke) Education SL (Pearce)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Engler)			
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Goodman)			

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 **HCS** for **HB 1174**, entitled:

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

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

SB 830—Health, Mental Health, Seniors and Families.

SB 831—Transportation.

SB 832—Financial and Governmental Organizations and Elections.

SB 833—Transportation.

SB 834—Jobs, Economic Development and Local Government.

SB 835—Small Business, Insurance and Industry.

SB 836—Health, Mental Health, Seniors and Families.

SB 837—Commerce, Consumer Protection, Energy and the Environment.

SB 838—Small Business, Insurance and Industry.

SB 839—Education.

SB 840—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 841—Agriculture, Food Production and Outdoor Resources.

SB 842—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 843—Transportation.

SB 844—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 845—Jobs, Economic Development and Local Government.

SB 846—Jobs, Economic Development and Local Government.

SB 847—Transportation.

SB 848—Financial and Governmental Organizations and Elections.

SB 849—Commerce, Consumer Protection, Energy and the Environment.

SB 850—Agriculture, Food Production and Outdoor Resources.

SB 851—Rules, Joint Rules, Resolutions and Ethics.

SB 852—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 853—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 854—Health, Mental Health, Seniors and Families.

SB 855—Governmental Accountability.

SB 856—Small Business, Insurance and Industry.

SJR 51—Judiciary and Civil and Criminal Jurisprudence.

HOUSE BILLS ON SECOND READING

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

HCS for HJR 43—Ways and Means and Fiscal Oversight.

HB 1135—Jobs, Economic Development and Local Government.

HCS for HB 1140—General Laws.

HB 1036—Financial and Governmental Organizations and Elections.

HB 1039—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1099—General Laws.

HB 1100—General Laws.

HB 1105—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for HB 1311—Jobs, Economic Development and Local Government.

HCS for HB 1329—Small Business, Insurance and Industry.

HB 1219—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Dempsey, the Senate recessed until 12:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **HCR 8**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the concurrent resolution would be signed by the President Pro Tem to the end that it may become law. No objections being made, the concurrent resolution was so read by the Secretary and signed by the President Pro Tem.

INTRODUCTIONS OF GUESTS

Senator Lembke introduced to the Senate, Lauren Alspach, Eric Briesacher and Matt Breite, 1st Senatorial District.

Senator Wright-Jones introduced to the Senate, Alderman Antonio French, St. Louis.

Senator Wright-Jones introduced to the Senate, Kam Phillips, Texas.

Senator Schaefer introduced to the Senate, students participating in the University of Missouri's Undergraduate Research Day.

On behalf of Senator Lembke and himself, Senator Green introduced to the Senate, former State Senator Harry Kennedy, St. Louis.

Senator Richard introduced to the Senate, Bethany Henry, Neosho.

Senator Schaaf introduced to the Senate, Victoria Damba, D.O., Teri Deffenbaugh, D.O., Allison Fischer, D.O., Marianne Klemm, D.O., Carey Vaughn, D.O., Erica Waddington, D.O., and students Jennifer Blair, Tori Logan, Jaclyn Pohlers, Rebecca Verhaeghe and Madeline Werner, representatives of Missouri Association of Osteopathic Physicians and Surgeons.

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

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, March 5, 2012.

SENATE CALENDAR

THIRTY-FOURTH DAY—MONDAY, MARCH 5, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown	SB 871-Lamping
SB 858-Schaaf	SB 872-Justus
SB 859-Nieves	SB 873-Lembke
SB 860-Nieves	SB 874-McKenna
SB 861-Purgason	SB 875-Goodman
SB 862-Engler	SB 876-Kehoe and Parson
SB 863-Wright-Jones	SB 877-Mayer
SB 864-Wright-Jones	SB 878-Mayer
SB 865-Pearce	SB 879-Wasson
SB 866-Lembke	SB 880-Wasson
SB 867-Lembke	SB 881-Pearce
SB 868-Kehoe	SB 882-Pearce
SB 869-Kehoe, et al	SB 883-Richard
SB 870-Lamping	SB 884-Nieves

SB 885-Engler	SB 899-Green
SB 886-Engler	SB 900-Munzlinger
SB 887-Ridgeway	SB 901-Lembke
SB 888-Ridgeway	SB 902-Lamping
SB 889-Lager	SB 903-Lamping
SB 890-Lager	SB 904-Mayer
SB 891-Lager	SB 905-Mayer
SB 892-Kraus	SB 906-Kraus
SB 893-Kraus	SB 907-Schaaf
SB 894-Curls	SB 908-Kehoe
SB 895-Curls	SB 909-Cunningham, et al
SB 896-Schaefer	SB 910-Ridgeway
SB 897-Schaefer	SB 911-Ridgeway
SB 898-Schaefer	SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)	HB 1188-Allen, et al
HB 1075-Sater	HB 1347-Franz
HB 1093-Elmer, et al	HCS for HB 1457
HB 1141-Gatschenberger, et al	HB 1517-Nolte, et al
HB 1156-Rowland, et al	HCS for HJR 41
HB 1179-Hampton, et al	HCS for HBs 1186 & 1147
HB 1185-Parkinson and Kelley (126)	HCS for HB 1308
HB 1250-Ruzicka, et al	HCS for HB 1442
HB 1251-Ruzicka	HB 1131-Fisher
HB 1269-Brattin, et al	HB 1441-Fisher
HB 1103-Crawford and Wyatt	HJR 45-Solon, et al
HB 1192-Koenig, et al	HB 1318-Riddle, et al
HB 1041-Thomson	HCS for HB 1731
HCS for HB 1059	HCS for HB 1030
HB 1107-Dugger, et al	HCS for HB 1139
HB 1112-Gosen	HCS for HB 1106
HB 1128-Largent	HCS for HB 1174

THIRD READING OF SENATE BILLS

SS for SCS for SB 699-Goodman

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--|
| 1. SB 711-Lamping, with SCS | 9. SB 689-Engler and Schmitt, with SCS |
| 2. SB 722-Lamping, with SCS | 10. SB 620-Rupp |
| 3. SB 726-Parson, with SCS | 11. SB 744-Wright-Jones, with SCS |
| 4. SB 623-Cunningham, with SCS | 12. SB 693-Crowell |
| 5. SB 569-Kraus, with SCS | 13. SB 650-Ridgeway |
| 6. SB 607-Stouffer | 14. SJR 48-Dixon |
| 7. SB 714-Lager, with SCS | 15. SJR 50-Curls |
| 8. SB 743-Brown | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 438-Mayer | SB 577-Goodman and Rupp, with SCS |
| SB 439-Mayer, with SCS | SB 589-Kraus, with SCS (pending) |
| SB 442-Stouffer, with SCS | SB 591-Parson, with SCS & SA 1 (pending) |
| SB 457-Schmitt, with SCS & SS for SCS
(pending) | SB 596-Brown, with SCS |
| SB 465-Schaaf | SB 621-Brown, with SCS & SS for SCS
(pending) |
| SB 470-Dixon, with SCS | SB 635-Pearce, with SCS |
| SB 474-Kraus, with SCS & SA 1 (pending) | SB 710-Engler, et al, with SCS |
| SB 479-Crowell | SB 717-Stouffer |
| SB 480-Stouffer, with SCS | SB 727-Schaaf |
| SB 492-Crowell, with SS (pending) | SB 749-Lamping, with SS & SA 1 (pending) |
| SB 547-Purgason | SJR 29-Lamping, with SS & SA 1 (pending) |
| SBs 553 & 435-Brown, with SCS, SS for
SCS & SA 1 (pending) | SJR 37-Crowell |

SENATE BILLS WITH HOUSE AMENDMENTS

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

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

SCR 21-Pearce, et al

SCR 24-Stouffer

To be Referred

SCR 26-Stouffer

SCR 27-Ridgeway

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