

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SIXTH DAY—WEDNESDAY, MARCH 7, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Curiosity is one of the permanent and certain characteristics of a vigorous mind.” (Samuel Johnson)

Heavenly Father, we are grateful that You have instilled in us a sense of curiosity which allows us to appreciate the vastness of the cosmos and the subtleness of columns of figures. We appreciate all about us, for they foster a harmony among its citizens and helps us manage the human forces about us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

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

Senators Lembke and Schmitt offered Senate Resolution No. 1608, regarding Mary Wetteroff, Saint

Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1609, regarding Martha Henderson, Crestwood, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1610, regarding Patricia Dillon, Fenton, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1611, regarding Steve Boggeman, Kirkwood, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1612, regarding Dee Baebler, Sunset Hills, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1613, regarding Regions Bank Sunset Hills, which was adopted.

Senator Justus offered Senate Resolution No. 1614, regarding Ted Wiedeman and Kurt Wiedeman and the Reeves Wiedeman Company, Kansas City, which was adopted.

Senator Ridgeway assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 635**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 635**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 635

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

Was taken up.

Senator Pearce moved that **SCS** for **SB 635** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 635** was declared perfected and ordered printed.

Senator Kraus moved that **SB 569**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 569** was again taken up.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 115.123, Lines 22 to 24, by striking all of said lines from the bill; and

Further renumber the remaining subsections accordingly.

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

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 115.123, Line 19, by striking the word “and” from said line; and further amend line 21, by inserting after “contests” the following: “; **and**

(4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 569**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 569**, as amended, was declared perfected and ordered printed.

Senator Lamping moved that **SB 722**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 722**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 722

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

Was taken up.

Senator Lamping moved that **SCS** for **SB 722** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 722** was declared perfected and ordered printed.

Senator Dempsey requested unanimous consent of the Senate to allow members of the City of Rolla Police Department to enter the Chamber with side arms, which request was granted.

Senator Stouffer moved that **SB 607** be taken up for perfection, which motion prevailed.

Senator Stouffer offered **SS** for **SB 607**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 607

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

Senator Stouffer moved that **SS** for **SB 607** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SB 607** was declared perfected and ordered printed.

CONCURRENT RESOLUTIONS

Senator Pearce moved that **SCR 21** be taken up for adoption, which motion prevailed.

At the request of Senator Pearce, the motion to adopt **SCR 21** was withdrawn.

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 **SS** for **SCS** for **SB 572**.

Emergency clause defeated.

REFERRALS

President Pro Tem Mayer referred the Gubernatorial Appointments appearing on pages 404 and 405 of the Senate Journal for Tuesday, March 6, 2012 to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 635**, 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.

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

RECESS

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

RESOLUTIONS

Senator Lembke offered Senate Resolution No. 1615, regarding Joseph Michael Esswein, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1616, regarding Connor J. Edler, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1617, regarding Judith Poncet, Steelville, which was adopted.

Senator Brown offered Senate Resolution No. 1618, regarding Sergeant First Class Jeremy David Pirtle, Saint James, which was adopted.

Senator Brown offered Senate Resolution No. 1619, regarding Walmart Transportation, St. James, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1620, regarding Amy Wasson, Frankford, which was adopted.

Senator Mayer offered Senate Resolution No. 1621, regarding Fred Dockins, Farmington, which was adopted.

Senator Mayer offered Senate Resolution No. 1622, regarding Joe King, Piedmont, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer moved that **SCR 24** be taken up for adoption, which motion prevailed.

On motion of Senator Stouffer, **SCR 24** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler	Kraus
Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—25

NAYS—Senators

Callahan	Curls	Green	Justus	Keaveny	Wright-Jones—6
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Absent—Senators

Goodman	Kehoe	Ridgeway—3
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Absent with leave—Senators—None

Vacancies—None

HOUSE BILLS ON THIRD READING

HB 1219, introduced by Representative Elmer, et al, entitled:

An Act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

Was taken up by Senator Lager.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator Ridgeway assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Lager moved that **HB 1219** be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **HB 1219** to the Committee on Ways and Means and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

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 were referred **SCS** for **SB 722**; **SS** for **SB 607**; and **SCS** for **SB 569**, begs leave to report that it has examined the same and finds that the bills have 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 **SS** for **SCS** for **SB 572**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 7, 2012

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

The following addendum should be made to the appointment of Melissa Turner for the Missouri Workforce Investment Board, submitted to you on March 6, 2012. Line 4 should be amended to read:

term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

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

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Greg Gagnon, Osage Beach; Bob Hoff, Laurie; Brad Williams and Debbie Hudson, Lamar; Bill Dana and John Huston, Kansas City; and Barry Randolph, Marshall.

Senator Lembke introduced to the Senate, Todd Wagenmaker, Sue vanHoornbeek, parents and students from the Providence Classical Christian Academy, St. Louis.

Senator Callahan introduced to the Senate, the 2011 Ms. Missouri Nursing Home Queen, Connie Rastberger, Independence.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl and fifty residents representing Community Advocacy through Resident Education.

Senator Keaveny introduced to the Senate, members of the Turkish Parliament, Mehmet Erdogan, Ibrahim Korkmaz and Onder Matli; and Aydin Danaci, Professor Mustafa Sir and Mehmet Kahveci, Ph.D.

Senator Cunningham introduced to the Senate, Dr. Timothy Jennings, Dr. Mark Pelikan, Dr. Anthony D'Angelo and Nicolas Zárkadis, St. Louis County.

Senator Brown introduced to the Senate, representatives of Rolla Day at the Capitol.

Senator Lager introduced to the Senate, students from the Hamilton School District.

Senator Curls introduced to the Senate, Dr. Bill Drake, Dr. Jamie Rosterman, Dr. Pooja French, Dr. Laura Plencner, Dr. Sowmya Kallur and Dr. Catherine Cotney, Kansas City.

Senator Dempsey introduced to the Senate, former State Senator Delbert Scott, Lowry City.

Senator Lembke introduced to the Senate, representatives of Big Brothers Big Sisters Amachi Missouri.

Senator Munzlinger introduced to the Senate, twenty students from Culver-Stockton College, Canton.

Senator Chappelle-Nadal introduced to the Senate, Tobias Gibson, St. Louis.

Senator Brown introduced to the Senate, Fayette Stewart, Barbara Crowell, Eleanor Marriott, Rolla; and Fran Green, Caryl Mussig and Amy Turner, St. James.

Senator Green introduced to the Senate, Principal Ms. McDaniel, Ms. Scurry, parents and forty-eight fourth grade students from Robinwood Elementary School, Florissant; and Natalie Moses, Tyler Jenkins and Ta'Lyssa Jones were made honorary pages.

Senator Brown introduced to the Senate, Stevie Kearse, Amy Campbell, Carolyn Peplow, John Butz, Scott Grahl, Lt. Rick Williams, Capt. Jason Smith, Loretta Wallis, Doyle Edwards, Tony Floyd, Karen McNew, Sue Stoltz and Sarah Greek.

Senator Schaefer introduced to the Senate, Tom Fuhrman and representatives of the Randolph County Leadership Excel Program.

On behalf of Senator Pearce, the President introduced to the Senate, Beth Blunk, Raymore; Kathy Jo McWilliams, Pleasant Hill; and students Jonie Oxley, Centerview; Cierra Rodenbaugh, Lee's Summit; Bethany McWilliams, Pleasant Hill; Hagan Zinecker and Matthew Rogers, Warrensburg, representatives of TeenPact.

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

SENATE CALENDAR

THIRTY-SEVENTH DAY—THURSDAY, MARCH 8, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke

SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer

SB 879-Wasson	SB 896-Schaefer
SB 880-Wasson	SB 897-Schaefer
SB 881-Pearce	SB 898-Schaefer
SB 882-Pearce	SB 899-Green
SB 883-Richard	SB 900-Munzlinger
SB 884-Nieves	SB 901-Lembke
SB 885-Engler	SB 902-Lamping
SB 886-Engler	SB 903-Lamping
SB 887-Ridgeway	SB 904-Mayer
SB 888-Ridgeway	SB 905-Mayer
SB 889-Lager	SB 906-Kraus
SB 890-Lager	SB 907-Schaaf
SB 891-Lager	SB 908-Kehoe
SB 892-Kraus	SB 909-Cunningham, et al
SB 893-Kraus	SB 910-Ridgeway
SB 894-Curls	SB 911-Ridgeway
SB 895-Curls	SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)	HCS for HB 1457
HB 1075-Sater	HB 1517-Nolte, et al
HB 1093-Elmer, et al	HCS for HJR 41
HB 1141-Gatschenberger, et al	HCS for HBs 1186 & 1147
HB 1156-Rowland, et al	HCS for HB 1308
HB 1179-Hampton, et al	HCS for HB 1442
HB 1185-Parkinson and Kelley (126)	HB 1131-Fisher
HB 1250-Ruzicka, et al	HB 1441-Fisher
HB 1251-Ruzicka	HJR 45-Solon, et al
HB 1269-Brattin, et al	HB 1318-Riddle, et al
HB 1103-Crawford and Wyatt	HCS for HB 1731
HB 1192-Koenig, et al	HCS for HB 1030
HB 1041-Thomson	HCS for HB 1139
HCS for HB 1059	HCS for HB 1106
HB 1107-Dugger, et al	HCS for HB 1174
HB 1112-Gosen	HB 1349-Jones (117), et al
HB 1128-Largent	HB 1114-Weter
HB 1188-Allen, et al	HB 1037-Dugger
HB 1347-Franz	HCS for HB 1072

THIRD READING OF SENATE BILLS

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|---|---|
| 1. SS for SCS for SB 699-Goodman
(In Fiscal Oversight) | 6. SCS for SB 726-Parson |
| 2. SCS for SB 591-Parson | 7. SCS for SB 711-Lamping |
| 3. SS#2 for SB 492-Crowell
(In Fiscal Oversight) | 8. SJR 37-Crowell (In Fiscal Oversight) |
| 4. SCS for SB 480-Stouffer | 9. SCS for SB 635-Pearce |
| 5. SS for SCS for SB 470-Dixon | 10. SCS for SB 722-Lamping |
| | 11. SS for SB 607-Stouffer |
| | 12. SCS for SB 569-Kraus |

SENATE BILLS FOR PERFECTION

SB 714-Lager, with SCS	SB 693-Crowell
SB 743-Brown	SB 650-Ridgeway
SB 689-Engler and Schmitt, with SCS	SJR 48-Dixon
SB 620-Rupp	SJR 50-Curls
SB 744-Wright-Jones, with SCS	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer	SB 589-Kraus, with SCS (pending)
SB 439-Mayer, with SCS (pending)	SB 596-Brown, with SCS
SB 442-Stouffer, with SCS	SB 621-Brown, with SCS & SS for SCS (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)	SB 623-Cunningham, with SCS
SB 465-Schaaf	SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 474-Kraus, with SCS & SA 1 (pending)	SB 717-Stouffer
SB 479-Crowell	SB 727-Schaaf, with SS (pending)
SB 547-Purgason	SB 749-Lamping, with SS & SA 1 (pending)
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)	SJR 29-Lamping, with SS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS	

HOUSE BILLS ON THIRD READING

HB 1219-Elmer, et al (Lager)
(In Fiscal Oversight)

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

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