

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 9, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom consists in doing the next thing you have to do, doing it with your whole heart and finding delight in doing it.” (Meister Echart)

Loving God, as we race through this day may we put our whole selves into what must be done so that it doesn’t need to be redone. May we go to those we love and love them with our whole heart so completely that they know we are giving our whole self to them. And, may we find the delight that comes from completely being present with them in the hearing of Your word this weekend. 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.

Senator Dempsey announced that photographers from Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	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 Crowell—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1378, regarding Michael Charles Schrock, which was adopted.

Senator Nieves offered Senate Resolution No. 1379, regarding the One Hundredth Birthday of Alice Throop Merrill, Gerald, which was adopted.

Senator Rupp offered Senate Resolution No. 1380, regarding Karen J. Jones, O'Fallon, which was adopted.

Senator Lembke offered Senate Resolution No. 1381, regarding the One Hundredth Birthday of Joseph Redel, Eureka, which was adopted.

Senator Lembke offered Senate Resolution No. 1382, regarding Adam J. Witte, which was adopted.

Senator Lembke offered Senate Resolution No. 1383, regarding Carl H. Hendrickson, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1384, regarding Richard Baptiste, Waynesville, which was adopted.

INTRODUCTION OF BILLS

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

SB 774—By Rupp.

An Act to repeal section 116.332, RSMo, and to enact in lieu thereof one new section relating to the initiative and referendum process.

SB 775—By Munzlinger.

An Act to amend chapter 26, RSMo, by adding thereto one new section relating to notice before gubernatorial appointments.

SB 776—By Kraus.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to assessment of certain real property within certain airport boundaries.

THIRD READING OF SENATE BILLS

SB 564, introduced by Senator Brown, entitled:

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to the waiver of the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses.

Was taken up.

On motion of Senator Brown, **SB 564** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Crowell Purgason—2

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.

Senator Stouffer assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 498**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 498** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 498** was declared perfected and ordered printed.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 20—Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 479**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 492**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 465**, begs leave to report that it has considered the same and recommends that the bill 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 611**, 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 485**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 594**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which were referred **SB 484**, **SB 477** and **SB 606**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 450**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

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 **SCR 15**, 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 16**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

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 **HB 1311**, entitled:

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for technology business facilities and data storage centers.

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 1329**, entitled:

An Act to repeal sections 301.140, 301.147, 301.559, and 301.3087, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle registration.

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 738—Agriculture, Food Production and Outdoor Resources.

SB 739—Health, Mental Health, Seniors and Families.

SB 740—Ways and Means and Fiscal Oversight.

SB 741—Judiciary and Civil and Criminal Jurisprudence.

SB 742—Health, Mental Health, Seniors and Families.

SB 743—Transportation.

SB 744—General Laws.

SB 745—Health, Mental Health, Seniors and Families.

- SB 746**—Jobs, Economic Development and Local Government.
- SB 747**—Financial and Governmental Organizations and Elections.
- SB 748**—Ways and Means and Fiscal Oversight.
- SB 749**—Small Business, Insurance and Industry.
- SB 750**—Health, Mental Health, Seniors and Families.
- SB 751**—Education.
- SB 752**—Transportation.
- SB 753**—Commerce, Consumer Protection, Energy and the Environment.
- SB 754**—Transportation.
- SB 755**—Judiciary and Civil and Criminal Jurisprudence.
- SB 756**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 757**—Financial and Governmental Organizations and Elections.
- SB 758**—Health, Mental Health, Seniors and Families.
- SB 759**—Commerce, Consumer Protection, Energy and the Environment.
- SB 760**—Agriculture, Food Production and Outdoor Resources.
- SB 761**—Judiciary and Civil and Criminal Jurisprudence.
- SB 762**—Education.
- SB 763**—Transportation.
- SB 764**—General Laws.
- SB 765**—Judiciary and Civil and Criminal Jurisprudence.
- SB 766**—Ways and Means and Fiscal Oversight.
- SB 767**—Transportation.
- SB 768**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.
- SB 769**—Commerce, Consumer Protection, Energy and the Environment.
- SB 770**—Health, Mental Health, Seniors and Families.
- SB 771**—Judiciary and Civil and Criminal Jurisprudence.
- SB 772**—Health, Mental Health, Seniors and Families.
- SB 773**—Financial and Governmental Organizations and Elections.
- SJR 49**—General Laws.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 7, 2012

Senator Jim Lembke
Chairman, Governmental Accountability Committee
Room 419, State Capitol
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the Missouri Department of Social Services and their administration of the Spenddown Program as well as their procedures for determining Food Stamp eligibility and recertification.

Please let me know if you have additional questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
State Senator, District 25

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, the Physician of the Day, Dr. Greg Terpstra, M.D., Potosi.
On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 13, 2012.

SENATE CALENDAR

TWENTY-SECOND DAY—MONDAY, FEBRUARY 13, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 774-Rupp
SB 775-Munzlinger

SB 776-Kraus

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara

HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 591-Parson, with SCS
 SB 479-Crowell
 SB 492-Crowell
 SB 465-Schaaf
 SB 611-Lembke

SB 485-Cunningham, with SCS
 SB 594-Kraus
 SBs 484, 477 & 606-Rupp, with SCS
 SB 450-Rupp

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
 SB 439-Mayer, with SCS
 SB 442-Stouffer, with SCS
 SB 469-Dixon, with SCS, SS for SCS &
 SA 2 (pending)
 SB 470-Dixon, with SCS
 SB 547-Purgason

SBs 553 & 435-Brown, with SCS, SS for
 SCS and SA 1 (pending)
 SB 572-Dempsey, with SCS
 SB 589-Kraus, with SCS (pending)
 SB 596-Brown, with SCS
 SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 15-Dempsey

SCR 16-Stouffer

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