

Journal of the Senate

SECOND REGULAR SESSION

NINTH DAY—MONDAY, JANUARY 25, 2010

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Life is overflowing with the new. But it is necessary to empty out the old to make room for the new to enter.” (Eileen Caddy)

Heavenly Father, as we begin this new week let us be open to what is possible, help us to see new opportunities and ways of doing what must be done. Let that which is old be left behind and help us listen to what others have to offer and support and direct our work with staff and colleagues so each is affirmed and the best brought forth. 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 for Thursday, January 21, 2010 was read and approved.

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

Present—Senators

Barnitz	Bartle	Bray	Callahan	Champion	Clemens	Crowell	Cunningham
Days	Dempsey	Engler	Goodman	Green	Griesheimer	Justus	Keaveny
Lager	Lembke	Mayer	McKenna	Nodler	Pearce	Ridgeway	Rupp
Schaefer	Schmitt	Scott	Shields	Shoemyer	Stouffer	Vogel	Wilson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1417, regarding Snyder Brace, Columbia, which was

adopted.

Senator Schaefer offered Senate Resolution No. 1418, regarding Hot Box Cookies, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1419, regarding Brighttree, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1420, regarding Longitude Health, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1421, regarding AVO General Services, LLC, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1422, regarding Miss Missouri Outdoors, Angelica Rivera, Moberly, which was adopted.

Senator Goodman offered Senate Resolution No. 1423, regarding Carole A. Kleiboeker, Stotts City, which was adopted.

Senator Scott offered Senate Resolution No. 1424, regarding the One Hundred Fiftieth Anniversary of the City of Sedalia, which was adopted.

Senator Goodman offered Senate Resolution No. 1425, regarding the Eightieth Birthday of Wayne Dale Conway, Mt. Vernon, which was adopted.

Senator Shields offered Senate Resolution No. 1426, regarding Accent Controls, Inc., Riverside, which was adopted.

Senator Crowell offered Senate Resolution No. 1427, regarding Pense Brothers Drilling Company, Fredericktown, which was adopted.

Senator Cunningham offered Senate Resolution No. 1428, regarding Innoventor, Inc., St. Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1429, regarding Titanova, Inc., St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1430, regarding Project Management Solutions Group, St. Louis, which was adopted.

Senator Shoemyer offered Senate Resolution No. 1431, regarding the One Hundred Twenty-fifth Anniversary of St. Joseph Catholic School, Martinsburg, which was adopted.

Senator Barnitz offered Senate Resolution No. 1432, regarding Interdisciplinary Design Collaborative, LLC, Rolla, which was adopted.

Senator Barnitz offered Senate Resolution No. 1433, regarding Cornerstone Energy Solutions, LLC, Rolla, which was adopted.

Senator Barnitz offered Senate Resolution No. 1434, regarding Ryan Dillon, Washington, D.C., which was adopted.

Senator Nodler offered Senate Resolution No. 1435, regarding I3 Technology Group, Inc., Joplin, which was adopted.

Senator Stouffer offered Senate Resolution No. 1436, regarding Dustin Oehl, Friedheim, which was adopted.

Senator Stouffer offered Senate Resolution No. 1437, regarding Natasha Frost, Lee's Summit, which was adopted.

Senator Stouffer offered Senate Resolution No. 1438, regarding Kelly Jahn, Jackson, which was adopted.

Senator Stouffer offered Senate Resolution No. 1439, regarding Megan Anderson, Centertown, which was adopted.

Senator Stouffer offered Senate Resolution No. 1440, regarding Haley Wilkerson, Rogersville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1441, regarding Garrett Pitts, Kirksville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1442, regarding Izabella Michitsch, Russellville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1443, regarding Emily Ziler, Reeds, which was adopted.

Senator Stouffer offered Senate Resolution No. 1444, regarding Andrew Chandler, Carthage, which was adopted.

Senator Stouffer offered Senate Resolution No. 1445, regarding Caleb Adams, Stotts City, which was adopted.

Senator Lembke offered Senate Resolution No. 1446, regarding the One Hundredth Birthday of Marie Jauer, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1447, regarding Matthew Eugene Strode, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1448, regarding the Eightieth Birthday of Shirley J. Norris, Affton, which was adopted.

Senator Mayer offered Senate Resolution No. 1449, regarding Xtreme Stereo, Kennett, which was adopted.

Senator Mayer offered Senate Resolution No. 1450, regarding S & D Grocery Outlet, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 1451, regarding Renovation Hardware, Portageville, which was adopted.

Senator Mayer offered Senate Resolution No. 1452, regarding Danyel A. Nobles, Poplar Bluff, which was adopted.

Senator Champion offered Senate Resolution No. 1453, regarding Trux Trailer and Tractor Repair, Inc., Springfield, which was adopted.

Senator Mayer offered Senate Resolution No. 1454, regarding the Honorable Gayle Kingery, Poplar

Bluff, which was adopted.

Senator Lager offered Senate Resolution No. 1455, regarding the One Hundredth Birthday of Daniel A. Lyzen, Hale, which was adopted.

Senator Lager offered Senate Resolution No. 1456, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Mickey Childs, Chillicothe, which was adopted.

Senator Crowell offered Senate Resolution No. 1457, regarding Travis Herbst, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1458, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Martin Pazdera, Charleston, which was adopted.

Senator Crowell offered Senate Resolution No. 1459, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. J.T. Gregory, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1460, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Eugene Kester, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 1461, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Lee Roy Brown, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 1462, regarding Pete Poe, Cape Girardeau, which was adopted.

INTRODUCTION OF BILLS

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

SB 818—By Lembke.

An Act to repeal sections 116.010, 116.020, 116.050, 116.060, 116.080, 116.090, 116.100, 116.120, 116.130, 116.175, 116.180, 116.190, and 116.332, RSMo, and to enact in lieu thereof thirteen new sections relating to initiative and referendum petitions, with penalty provisions.

SB 819—By Lembke.

An Act to repeal section 41.1000, RSMo, and to enact in lieu thereof one new section relating to leave for members of the civil air patrol.

SB 820—By McKenna.

An Act to repeal sections 300.160 and 304.291, RSMo, and to enact in lieu thereof two new sections relating to pedestrian control signals.

SB 821—By Nodler, Goodman and Stouffer.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

SB 822—By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

SB 823—By Ridgeway.

An Act to repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to a state and local sales and use tax exemption for data storage.

SB 824—By Clemens.

An Act to repeal sections 267.565 and 267.600, RSMo, and to enact in lieu thereof two new sections relating to diseased animals.

SB 825—By Clemens.

An Act to repeal section 338.056, RSMo, and to enact in lieu thereof two new sections relating to prohibiting the interchange of anti-epileptic drugs.

SB 826—By Griesheimer.

An Act to repeal section 321.552, RSMo, and to enact in lieu thereof one new section relating to the imposition of a sales tax by ambulance and fire protection districts in certain counties.

SJR 38—By Ridgeway.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, and 25 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the adjournment of the legislative session.

SJR 39—By Crowell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2(a) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the membership of the state board of education.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 21, 2010

To the Senate of the 95th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lowell Mohler, Republican, 4054 Highway 179, Jefferson City, Cole County, Missouri 65109, as a member of the State Fair Commission, for a term ending December 29, 2013, and until his successor is duly appointed and qualified; vice, Jerry King, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

SECOND READING OF CONCURRENT RESOLUTIONS

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

SCR 40—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Shields referred **SCR 41**, **SCR 42**, **HCS** for **HCR 18** and **SCR 43** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Scott assumed the Chair.

SECOND READING OF SENATE BILLS

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

SB 788—Education.

SB 789—Governmental Accountability and Fiscal Oversight.

SB 790—Judiciary and Civil and Criminal Jurisprudence.

SB 791—Jobs, Economic Development and Local Government.

SB 792—Judiciary and Civil and Criminal Jurisprudence.

SB 793—Judiciary and Civil and Criminal Jurisprudence.

SB 794—Transportation.

SB 795—Agriculture, Food Production and Outdoor Resources.

SB 796—Financial and Governmental Organizations and Elections.

SB 797—Judiciary and Civil and Criminal Jurisprudence.

SB 798—General Laws.

SB 799—Small Business, Insurance and Industry.

SB 800—Rules, Joint Rules, Resolutions and Ethics.

SB 801—Commerce, Consumer Protection, Energy and the Environment.

SB 802—Jobs, Economic Development and Local Government.

SB 803—Ways and Means.

SB 804—Progress and Development.

SB 805—Health, Mental Health, Seniors and Families.

SB 806—Judiciary and Civil and Criminal Jurisprudence.

SB 807—Judiciary and Civil and Criminal Jurisprudence.

SB 808—Jobs, Economic Development and Local Government.

SB 809—Small Business, Insurance and Industry.

SB 810—Financial and Governmental Organizations and Elections.

SB 811—Financial and Governmental Organizations and Elections.

SB 812—Transportation.

SB 813—Jobs, Economic Development and Local Government.

SB 814—Judiciary and Civil and Criminal Jurisprudence.

SB 815—Education.

SJR 32—Ways and Means.

SJR 33—Judiciary and Civil and Criminal Jurisprudence.

SJR 34—Judiciary and Civil and Criminal Jurisprudence.

SJR 35—Ways and Means.

SJR 36—Financial and Governmental Organizations and Elections.

SJR 37—Governmental Accountability and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Caitlin Hornick.

Senator Bartle introduced to the Senate, his brother-in-law, John Blomquist and his son, Luke, Kansas City.

On behalf of Senator Lager and himself, the President introduced to the Senate, Megan Graves.

On behalf of Senator Champion, the President introduced to the Senate, Lucas Case.

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

SENATE CALENDAR

TENTH DAY—TUESDAY, JANUARY 26, 2010

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 816-Lembke
SB 817-Lembke
SB 818-Lembke
SB 819-Lembke
SB 820-McKenna
SB 821-Nodler, et al
SB 822-Keaveny

SB 823-Ridgeway
SB 824-Clemens
SB 825-Clemens
SB 826-Griesheimer
SJR 38-Ridgeway
SJR 39-Crowell

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