

Journal of the Senate

FIRST REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 18, 2011

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Every man must decide whether he will walk in the light of creative altruism or in the darkness of destructive selfishness.” (Martin Luther King, Jr.)

O Lord our God, we ask that You bless our remembering Dr. King as we celebrate his gifts to us this evening and we pray that we can each see and live the life that Reverend King saw possible for us. So help us Lord be all You have created us to be and rejoice in what is possible among our interactions 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 for Thursday, January 13, 2011 was read and approved.

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

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	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

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 46, regarding the Chinese New Year, which was adopted.

Senator Stouffer offered Senate Resolution No. 47, regarding the One Hundred Fifth Birthday of Clara Garrison Guthrie, Corder, which was adopted.

Senator Cunningham offered Senate Resolution No. 48, regarding Yacovelli's Restaurant, Florissant, which was adopted.

Senator Richard offered Senate Resolution No. 49, regarding Edwin L. Grundy, Sr., Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 50, regarding the One Hundred First Birthday of Ruby M. Ott, Oronogo, which was adopted.

Senator Munzlinger offered Senate Resolution No. 51, regarding Ervin W. Harder, DMD, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 52, regarding Gary W. Heimericks, Tebbetts, which was adopted.

Senator Richard offered Senate Resolution No. 53, regarding The Run Around Running Co., Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 54, regarding Trogo, LLC, Joplin, which was adopted.

Senator Schaefer offered Senate Resolution No. 55, regarding Energy Americas, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 56, regarding Comparative Clinical Pathology Services, LLC, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 57, regarding Galactic Fun Zone, Columbia, which was adopted.

Senator Keaveny offered Senate Resolution No. 58, regarding Halbert Sullivan, Saint Peters, which was adopted.

Senators Rupp and Dempsey offered Senate Resolution No. 59, regarding RespondRight EMS Academy, Saint Peters, which was adopted.

Senator Schmitt offered Senate Resolution No. 60, regarding Sarah King, which was adopted.

Senator Schmitt offered Senate Resolution No. 61, regarding David Haring, which was adopted.

Senator Schmitt offered Senate Resolution No. 62, regarding Andrew Huber, which was adopted.

Senator Schmitt offered Senate Resolution No. 63, regarding Eric Kuhlmann, which was adopted.

Senator Brown offered Senate Resolution No. 64, regarding the death of Thomas Marion Julian, Sr., Waynesville, which was adopted.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 65

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective with the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and eight division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
4	Staff Attorney II	3,476 - 5,135
1	Senior Staff Attorney	3,932 - 5,829
3	Research Analyst IV	3,476 - 5,135
1	Investigator	3,225 - 4,724
4	Research Staff Secretary	2,688 - 3,832
2	Budget Research Analyst II	2,996 - 4,263
2	Budget Research Analyst III	3,476 - 5,135
1	Senior Budget Research Analyst	3,932 - 5,829
1	Budget Staff Secretary	2,688 - 3,832
3	Assistant Secretary of Senate	2,996 - 4,263
1	Enrolling & Engrossing Supervisor	2,996 - 4,263
2.5	Enrolling & Engrossing Clerk	2,383 - 3,351
1	Billroom Supervisor	2,383 - 3,351
1	Billroom Clerk	2,048 - 2,828
5	Public Information Specialist	2,383 - 3,351
1	Photographer	2,688 - 3,832
1	Administrative Assistant	3,131 - 6,425
1	Telecommunications Coordinator	2,996 - 4,263
1.5	Accounting Specialist	2,785 - 3,932
1	Human Resources Specialist	2,785 - 3,932
1	Office Assistance Supervisor	2,996 - 4,263
8.5	Administrative/Office Support	2,785 - 3,932
1	Messenger	1,983 - 2,679
2	Computer Info. Technology Spec. I	3,832 - 5,590
2	Computer Info. Technology Spec. II	4,441 - 6,357
1	Computer Info. Technology Spec. III	4,629 - 6,644
3	Computer Info. Technologist II	3,108 - 4,441
1	Network/Communications Specialist	3,832 - 5,590
2	Data Entry Operator III	2,232 - 3,108

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
1	Composing Equipment Operator III	2,232 - 3,108
3	Redistricting Specialist	2,785 - 3,932
1	Printing Services Technician II	2,048 - 2,828
2	Printing Services Technician III	2,232 - 3,108
2	Printing Services Technician IV	2,508 - 3,476
1	Maintenance Supervisor	2,508 - 3,476
1	Carpenter II	2,508 - 3,476
1	Maintenance Worker	2,048 - 2,828
0.5	Sergeant at Arms (Elected)	2,508 - 3,476
0.5	Doorkeeper (Elected)	1,832 - 2,460
3.5	Assistant Doorkeeper	1,678 - 2,183
0.5	Reading Clerk	1,678 - 2,183
0.5	Chaplain	908 - 1,202
0.5	Security Guard	1,727 - 2,297

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and the Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth herein above.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges in July to reflect implementation of the state pay plan for FY 2012.

Senator Dempsey offered Senate Resolution No. 66, regarding Paul G. Dolan, Jr., DDS, Saint Charles, which was adopted.

INTRODUCTION OF BILLS

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

SB 119—By Schaefer.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to conservation easements.

SB 120–By Stouffer.

An Act to repeal section 226.540, RSMo, and to enact in lieu thereof two new sections relating to billboards.

SB 121–By Stouffer.

An Act to repeal sections 70.710, 70.720, and 70.730, RSMo, and to enact in lieu thereof three new sections relating to Missouri local government employees' retirement system.

SB 122–By Schaaf.

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to health insurance.

SB 123–By Keaveny.

An Act to repeal sections 160.053, 160.054, 160.055, 160.410, and 160.415, RSMo, and to enact in lieu thereof five new sections relating to charter schools.

SB 124–By Keaveny.

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance.

SB 125–By Keaveny.

An Act to repeal sections 367.503, 367.512, and 367.533, RSMo, and to enact in lieu thereof three new sections relating to title loans, with penalty provisions.

SB 126–By Wasson.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to counseling services under the MO HealthNet program.

SB 127–By Chappelle-Nadal.

An Act to amend chapter 105, RSMo, by adding thereto two new sections relating to public officials.

SB 128–By Lembke.

An Act to repeal section 160.400, RSMo, and to enact in lieu thereof one new section relating to sponsorship of charter schools.

SB 129–By Lembke.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to student transfers.

SB 130–By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

SB 131–By Rupp.

An Act to repeal section 643.315, RSMo, and to enact in lieu thereof one new section relating to exempting qualified plug-in electric drive vehicles from the motor vehicle emissions inspection program.

SB 132—By Rupp and Kehoe.

An Act to repeal sections 375.012, 385.206, and 385.208, RSMo, and to enact in lieu thereof seven new sections relating to motor vehicle extended service contracts, with penalty provisions.

SB 133—By Rupp.

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof one new section relating to highway design-build project contracts.

SB 134—By Rupp.

An Act to repeal section 211.447, RSMo, and to enact in lieu thereof one new section relating to parental rights of individuals with disabilities.

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 and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Robert Miller, as a member of the State Board of Mediation;

Also,

Ann Pluemer, Democrat, as a member of the Saint Louis County Board of Election Commissioners;

Also,

Ann Nunn-Jones, Democrat, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Sharlene Rimiller, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists;

Also,

Kenneth H. Suelthaus, Republican, as a member of the State Highways and Transportation Commission;

Also,

Mary Nelson, as a member of the Administrative Hearing Commission;

Also,

Nicole Colbert-Botchway, Democrat, as a member of the Missouri Women's Council;

Also,

Jerome Lee, as a member of the Saint Louis City Board of Police Commissioners;

Also,

Leo Blakley, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

M. Blake Heath, Republican, as a member of the Kansas City Board of Election Commissioners;

Also,

Joseph S. Barbosa, as the student representative of the Northwest Missouri State University Board of Regents;

Also,

Melanie J. Guthrie, as a member of the Advisory Commission for Anesthesiologist Assistants;

Also,

James Rearden, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Kenneth J. Bonnot, as Director of the Division Credit Unions;

Also,

Kathryn Swan, Republican, as a member of the Coordinating Board for Higher Education.

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 and reappointment, which motion prevailed.

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 **SR 27**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 1**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 18, 2011

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment to the Joint Committee on Education

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I am appointing Senator Brian Nieves to the Joint Committee on Education to replace Senator Yvonne Wilson, whose term has expired.

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

January 18, 2011

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Appointment to the Joint Committee on Education

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I am appointing Senator Maria Chappelle-Nadal to the Joint Committee on Education to replace Senator Rita Days, whose term has expired.

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

January 18, 2011

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

RE: Reappointments to the Joint Committee on Education

Dear Ms. Spieler:

Pursuant to Section 160.254, RSMo, I hereby reappoint Senators Scott Rupp and Joseph Keaveny to the Joint Committee on Education.

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Krista Crider, Alexandra Logan and Whitney Jones.

Senator Pearce introduced to the Senate, Timothy Campbell.

Senator Stouffer introduced to the Senate, Angela Zhang, Sarah Zaghouani, Abby Thompson and Marilyn Toalson.

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

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 19, 2011

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 51-Cunningham	SB 86-Lembke
SB 52-Cunningham	SB 87-Parson
SB 53-Cunningham	SB 88-Schaaf
SB 54-Cunningham	SB 89-Lembke
SB 55-Brown	SB 90-Dempsey
SB 56-Rupp	SB 91-Engler
SB 57-Callahan	SB 92-Schaaf
SB 58-Stouffer	SB 93-Kraus
SB 59-Keaveny	SB 94-Munzlinger
SB 60-Keaveny	SB 95-Munzlinger
SB 61-Keaveny	SB 96-Engler
SB 62-Schaaf	SB 97-Engler
SB 63-Mayer	SB 98-Schaaf
SB 64-Parson	SB 99-Chappelle-Nadal
SB 65-Mayer, et al	SB 100-Stouffer
SB 67-Cunningham	SB 101-Parson
SB 68-Mayer	SB 102-Green
SB 69-Schaefer	SB 103-Green
SB 70-Schaefer	SB 104-Green
SB 71-Parson	SB 105-Green
SB 72-Kraus	SB 106-Green
SB 73-Kraus	SB 107-Green
SB 74-Kraus	SB 108-Schmitt, et al
SB 75-Kraus	SB 109-Crowell
SB 76-Schaaf	SB 110-Crowell
SB 77-Stouffer	SB 111-Schaaf
SB 78-Brown	SB 112-Kraus
SB 79-Justus	SB 113-Parson and Engler
SB 80-Justus	SB 114-Justus
SB 81-Pearce	SB 115-Justus
SB 82-Pearce	SB 116-Justus
SB 83-Pearce	SB 117-Engler
SB 84-Wright-Jones	SB 118-Stouffer
SB 85-Lembke	SB 119-Schaefer

SB 120-Stouffer
 SB 121-Stouffer
 SB 122-Schaaf
 SB 123-Keaveny
 SB 124-Keaveny
 SB 125-Keaveny
 SB 126-Wasson
 SB 127-Chappelle-Nadal
 SB 128-Lembke
 SB 129-Lembke
 SB 130-Rupp
 SB 131-Rupp
 SB 132-Rupp and Kehoe

SB 133-Rupp
 SB 134-Rupp
 SJR 1-Ridgeway
 SJR 2-Stouffer
 SJR 3-Goodman
 SJR 5-Chappelle-Nadal
 SJR 6-Chappelle-Nadal
 SJR 7-Lembke
 SJR 8-Kraus
 SJR 9-Engler
 SJR 10-Lembke and Green
 SJR 11-Munzlinger
 SJR 12-Green

INFORMAL CALENDAR

RESOLUTIONS

SR 65-Dempsey

Reported from Committee

SR 27-Cunningham

SCR 1-Ridgeway

