

Journal of the Senate

FIRST REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 25, 2011

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...if you indeed cry out for insight and raise your voice for understanding, then you will understand righteousness and justice and equity, every good path.” (Proverbs 2:3, 9)

Heavenly Father, we recognize how in Your presence we are given the opportunity to help those who are in serious need in our state. We recognize the limited resources available and how we must set priorities on how we make use of them. Let us be open to all Your prompting in whom You place Your teaching and help us see what we must do. 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 | 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—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 110, regarding Meaghann Maggert, Concordia, which was adopted.

Senator Stouffer offered Senate Resolution No. 111, regarding Darion Austell, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 112, regarding Abigail Thomas, Renick, which was adopted.

Senator Stouffer offered Senate Resolution No. 113, regarding Shawna Scott, Jefferson City, which was adopted.

Senator Stouffer offered Senate Resolution No. 114, regarding Lorna Dreyer, Warrenton, which was adopted.

Senator Stouffer offered Senate Resolution No. 115, regarding Imani Bennett, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 116, regarding Trent Ludwig, Linn, which was adopted.

Senator Stouffer offered Senate Resolution No. 117, regarding Jeff Durbin, Monroe City, which was adopted.

Senator Stouffer offered Senate Resolution No. 118, regarding Jessica Lehman, Peculiar, which was adopted.

Senator Stouffer offered Senate Resolution No. 119, regarding Brittany Dodd, Rolla, which was adopted.

Senator Stouffer offered Senate Resolution No. 120, regarding Lauren Crudup, Belton, which was adopted.

Senator Stouffer offered Senate Resolution No. 121, regarding Taylor Bryant, Auxvasse, which was adopted.

Senator Crowell offered Senate Resolution No. 122, regarding Fredericktown R-I School District, which was adopted.

Senator Crowell offered Senate Resolution No. 123, regarding Calvary Temple Church, which was adopted.

Senator Crowell offered Senate Resolution No. 124, regarding the Fredericktown Fire Department, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 125

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its State Convention on November 10, 2011 through November 12, 2011 and December 1, 2011 through December 3, 2011.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 125** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 125** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 126

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 1, 2011, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 126** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 126** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 127

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the Senate and House Chambers for beneficial purposes; and

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly hereby grant the Jefferson City Rotary Club permission to use the Senate Chamber for the purpose of conducting Student Government Day on the morning of Monday, March 21, 2011.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 127** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 127** was adopted.

Senator Crowell offered Senate Resolution No. 128, regarding Jonathan James “Jonny” Deneke, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 129, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Gerald Keller, Cape Girardeau, which was adopted.

CONCURRENT RESOLUTIONS

Senator Justus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 5

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional Delegation with request that it be printed in the Congressional Record.

INTRODUCTION OF BILLS

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

SB 163—By Pearce.

An Act to repeal sections 172.030 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to higher education governing boards.

SB 164—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to science, technology, engineering, and mathematics education.

SB 165—By Goodman.

An Act to repeal section 477.650, RSMo, and to enact in lieu thereof one new section relating to the basic civil legal services fund.

SB 166–By Goodman.

An Act to repeal section 381.115, RSMo, and to enact in lieu thereof one new section relating to the licensure of title agencies and title agents.

SB 167–By Goodman.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to special event motor vehicle auction licenses, with penalty provisions.

SB 168–By Crowell.

An Act to repeal section 478.711, RSMo, and to enact in lieu thereof one new section relating to the circuit court of Cape Girardeau County.

SB 169–By Crowell.

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 170–By Crowell.

An Act to repeal section 105.661, RSMo, and to enact in lieu thereof one new section relating to public employee retirement.

SB 171–By Crowell.

An Act to repeal sections 217.750, 559.600, 559.602, and 559.604, RSMo, and to enact in lieu thereof four new sections relating to private probation services.

SB 172–By Crowell.

An Act to repeal sections 105.711, 105.716, and 105.726, RSMo, and to enact in lieu thereof three new sections relating to the state legal expense fund.

SB 173–By Dixon and Kehoe.

An Act to repeal section 21.920, RSMo, and to enact in lieu thereof one new section relating to the joint committee on Missouri's promise.

SB 174–By Dempsey.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the imposition of fees for the repair of water service lines in certain municipalities.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Jerry Gladden and Karrie and Karissa Sandfort, New Bloomfield; Joetta and Abrianna York, Lincoln County; Barbra Muellenbach and Pastan Gladden, Jefferson City; and Zachary York, John Hunter, Traci Sinn, Daesha Sinn and James Nelson; and Abrianna, Pastan and Karissa were made honorary pages.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Brian McKenna, M.D. St. Louis.

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

SENATE CALENDAR

 TWELFTH DAY—WEDNESDAY, JANUARY 26, 2011

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

| | |
|------------------------|------------------------------|
| SB 126-Wasson | SB 151-Callahan and Stouffer |
| SB 127-Chappelle-Nadal | SB 152-Crowell |
| SB 128-Lembke | SB 153-Schaaf |
| SB 129-Lembke | SB 154-Schaaf |
| SB 130-Rupp | SB 155-Rupp |
| SB 131-Rupp | SB 156-Rupp |
| SB 132-Rupp and Kehoe | SB 157-Schaefer |
| SB 133-Rupp | SB 158-Keaveny |
| SB 134-Rupp | SB 159-Cunningham |
| SB 135-Schaefer | SB 160-Cunningham |
| SB 136-Schaaf | SB 161-Munzlinger |
| SB 137-Brown | SB 162-Munzlinger |
| SB 138-Keaveny | SB 163-Pearce |
| SB 139-Crowell | SB 164-Pearce |
| SB 140-Crowell | SB 165-Goodman |
| SB 141-Crowell | SB 166-Goodman |
| SB 142-Crowell | SB 167-Goodman |
| SB 143-Crowell | SB 168-Crowell |
| SB 144-Crowell | SB 169-Crowell |
| SB 145-Dempsey | SB 170-Crowell |
| SB 146-Schmitt | SB 171-Crowell |
| SB 147-Schaefer | SB 172-Crowell |
| SB 148-Schaefer | SB 173-Dixon and Kehoe |
| SB 149-Schaaf | SB 174-Dempsey |
| SB 150-Munzlinger | SJR 13-Justus |

HOUSE BILLS ON SECOND READING

HCS for HB 45

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 5-Justus

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