

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—TUESDAY, APRIL 19, 2011

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“So we do not lose heart. Even though our outer nature is wasting away, our inner nature is being renewed day by day.” (2 Corinthians 4:16)

Gracious God, we are marvelously made yet time and stress take their toll on our bodies and as we work our way through this week we pray that You will renew our inner person. We pray You will nourish and strengthen us by remembering Your divine love giving us joyful hope so we can bring all we are to the work that is before us and to the people we encounter through our day. Bless us, O Lord, and be an ever present help. 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 Missouri News Horizon were given permission to take pictures in the Senate Chamber today.

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

Senator Keaveny offered Senate Resolution No. 826, regarding the Niagra Foundation and the Turkish American Foundation of the Midwest, which was adopted.

Senator Wasson offered Senate Resolution No. 827, regarding Janet Hunt, which was adopted.

Senator Wasson offered Senate Resolution No. 828, regarding Martha L. Towe, which was adopted.

Senator Lembke offered Senate Resolution No. 829, regarding the death of James E. “Jim” Tuscher, which was adopted.

Senator Munzlinger offered Senate Resolution No. 830, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lyndal Barker, Benton City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 831, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Don Brodhacker, which was adopted.

Senator Munzlinger offered Senate Resolution No. 832, regarding the Fiftieth Wedding Anniversary of Reverend and Mrs. John Blass, Martinsburg, which was adopted.

Senator Kehoe offered Senate Resolution No. 833, regarding Maureen T. Mead, which was adopted.

HOUSE BILLS ON THIRD READING

At the request of Senator Nieves, **HB 423** was placed on the Informal Calendar.

HCS for **HB 354**, entitled:

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.

Was taken up by Senator Rupp.

Senator Pearce assumed the Chair.

On motion of Senator Rupp, **HCS** for **HB 354** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	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—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 204 was placed on the Informal Calendar.

HB 307 and **HB 812**, with **SCS**, were placed on the Informal Calendar.

HB 798, introduced by Representative Brown (85), **HB 141**, introduced by Representatives Black, et al, **HB 153**, introduced by Representatives Black, et al, **HCS** for **HB 363**, **HB 415**, introduced by Representatives Richardson, et al, and **HB 813**, introduced by Representative Dugger, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way interchange designation program.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

Were taken up by Senator Lembke.

SCS for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and **HB 813**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 798
HOUSE BILL NO. 141
HOUSE BILL NO. 153
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 363
HOUSE BILL NO. 415
and
HOUSE BILL NO. 813

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof eight new sections relating to the designation of the highway infrastructure system.

Was taken up.

Senator Lembke moved that **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and

HB 813 be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **HB 798**, **HB 141**, **HB 153**, **HCS** for **HB 363**, **HB 415**, and **HB 813** was read the 3rd time and passed by the following vote:

YEAS—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						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 338**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

Was taken up by Senator Lager.

At the request of Senator Lager, **HCS** for **HB 338** was placed on the Informal Calendar.

HB 339, introduced by Representatives Pollock, et al, entitled:

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Was taken up by Senator Lager.

Senator Lager offered **SS** for **HB 339**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 339

An Act to repeal section 392.460, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Senator Lager moved that **SS** for **HB 339** be adopted.

Senator Dixon assumed the Chair.

At the request of Senator Lager, **HB 339**, with **SS** (pending), was placed on the Informal Calendar. **HCS** for **HB 108**, with **SCA 1**, entitled:

An Act to repeal sections 130.031 and 130.036, RSMo, and to enact in lieu thereof two new sections relating to campaign finance, with an existing penalty provision.

Was taken up by Senator Curls.

SCA 1 was taken up.

Senator Curls moved that the above committee amendment be adopted.

At the request of Senator Curls, **HCS** for **HB 108**, with **SCA 1** (pending), was placed on the Informal Calendar.

HB 749, introduced by Representatives Lasater, et al, entitled:

An Act to amend chapters 9 and 10, RSMo, by adding thereto two new sections relating to child abuse prevention.

Was taken up by Senator Brown.

On motion of Senator Brown, **HB 749** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Kraus—1

Absent—Senators

Purgason Rupp—2

Absent with leave—Senators—None

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.

HB 795, introduced by Representatives Kelley (126), et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of school read-in day.

Was taken up by Senator Parson.

On motion of Senator Parson, **HB 795** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—29			

NAYS—Senators

Lembke	Nieves	Ridgeway—3
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Absent—Senators

Rupp	Wasson—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 307, introduced by Representatives Gatschenberger, et al, and **HB 812**, introduced by Representatives Brattin, et al, with **SCS**, entitled respectively:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special license plate.

Were called from the Informal Calendar and taken up by Senator Nieves.

SCS for **HB 307** and **HB 812**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 307 and HOUSE BILL NO. 812

An Act to amend chapter 301, RSMo, by adding thereto four new sections relating to special license plates.

Was taken up.

Senator Nieves moved that **SCS** for **HB 307** and **HB 812** be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **HB 307** and **HB 812** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
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Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Green—1

Absent—Senators

Ridgeway Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Curls moved that **HCS** for **HB 108**, with **SCA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCA 1 was again taken up.

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

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 108, Page 5, Section 130.031, Lines 143-145, by striking all of said lines and inserting in lieu thereof, the following: “**advertising, and other similar items from a political action committee.**”.

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

On motion of Senator Curls, **HCS** for **HB 108**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

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 adopted **HCR 42**.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, the United States Environmental Protection Agency (EPA) has proposed or is proposing numerous new regulations, particularly in the area of air quality and regulation of greenhouse gases, that are likely to have major effects on the economy, jobs, and the competitiveness of the United States in worldwide markets; and

WHEREAS, EPA's regulatory activity as to air quality and greenhouse gases has numerous and overlapping requirements and may have a potentially devastating consequence on the economy; and

WHEREAS, concern is growing that, with Cap-and-Trade legislation having failed in the United States Congress, EPA is attempting to obtain the same results through the adoption of regulations; and

WHEREAS, EPA over-regulation is driving jobs and industry out of the United States; and

WHEREAS, neither EPA nor the Administration has undertaken any comprehensive study of what the cumulative effect that the new regulatory activity will have on the economy, jobs, and competitiveness; and

WHEREAS, EPA has not performed any comprehensive study of what the environmental benefits of its greenhouse gas regulation will be in terms of impacts on global climate; and

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits; and

WHEREAS, since EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the 2011-15 time period, EPA should be required to identify the specific actions it intends to take to achieve these goals and to assess the total cost of all these actions together; and

WHEREAS, the Missouri General Assembly supports continuing improvements in the quality of the nation's air and believes that such improvements can be made in a sensible fashion without damaging the economy so long as there is a full understanding of the cost of the regulation at issue; and

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to the creation of jobs; and

WHEREAS, public health and welfare will suffer without significant new job creation and economic improvement, because people with good jobs are better able to take care of themselves and their families than the unemployed and because environmental improvement is only possible in a society that generates wealth:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to:

(1) Adopt legislation prohibiting EPA, by any means necessary, from regulating greenhouse gas emissions, including defunding EPA greenhouse gas regulatory activities, if necessary;

(2) Impose a moratorium on promulgation of any new air quality regulation by EPA, by any means necessary, except to directly address an imminent health or environmental emergency, for a period of at least two years, including defunding EPA air quality regulatory activities; and

(3) Require the Administration to undertake a study identifying all regulatory activity the EPA intends to undertake in furtherance of its goal of “taking action on climate change and improving air quality” and specifying the cumulative effect of all of these regulations on the economy, jobs, and the economic competitiveness of the United States. The study should be a multi-agency study drawing on the expertise both of EPA and of agencies and departments having expertise in and responsibility for the economy and the electric system and should provide an objective cost-benefit analysis of all the EPA’s current and planned regulation together; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States; the Majority and Minority Leaders of the United States House of Representatives and Senate; Lisa P. Jackson, the Administrator of the Environmental Protection Agency; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 656**, entitled:

An Act to repeal sections 408.500, 408.505, 408.506, and 408.507, RSMo, and to enact in lieu thereof four new sections relating to unsecured loans of five hundred dollars or less, with existing penalty provisions.

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 **HJR 5**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the personal right to hunt and fish.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 Ridgeway.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 834, regarding Janice M. Bertz, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 835, regarding Thomas R. Corporon, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 836, regarding Evelyn Trigg, Lexington, which was adopted.

Senator Munzlinger offered Senate Resolution No. 837, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Charles Bruner, Downing, which was adopted.

Senator Munzlinger offered Senate Resolution No. 838, regarding the Fiftieth Wedding Anniversary

of Mr. and Mrs. Roy Minor, Palmyra, which was adopted.

Senator Ridgeway offered Senate Resolution No. 839, regarding Dr. Chris Daniels, North Kansas City, which was adopted.

Senator Nieves offered Senate Resolution No. 840, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Paul Raymond Dudley, Pacific, which was adopted.

SENATE BILLS FOR PERFECTION

At the request of Senator Crowell, **SB 408** and **SB 80**, with **SCS**, were placed on the Informal Calendar.

SB 155, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 52** was placed on the Informal Calendar.

SJR 12 was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 326** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 270**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 340**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 340**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 340

An Act to repeal sections 333.041, 333.042, 333.051, 333.061, 333.091, 333.151, 333.171, 436.405, 436.412, 436.445, 436.450, 436.455, and 436.456, RSMo, and to enact in lieu thereof thirteen new sections relating to the board of embalmers and funeral directors.

Was taken up.

Senator Wasson moved that **SCS** for **SB 340** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 340** was declared perfected and ordered printed.

Senator Wright-Jones moved that **SB 48**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 48**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 48

An Act to repeal sections 386.370 and 393.135, RSMo, and to enact in lieu thereof three new sections relating to public utilities.

Was taken up.

Senator Wright-Jones moved that **SCS** for **SB 48** be adopted.

Senator Wright-Jones offered **SS** for **SCS** for **SB 48**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 48

An Act to repeal sections 386.370 and 393.135, RSMo, and to enact in lieu thereof three new sections relating to public utilities.

Senator Wright-Jones moved that **SS** for **SCS** for **SB 48** be adopted.

Senator Kraus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 48, Page 2, Section 386.370, Line 25 of said page, by striking “twenty-two” and inserting in lieu thereof the following: “**twenty**”.

Senator Kraus moved that the above amendment be adopted.

Senator Crowell raised the point of order that **SCS** and **SS** for **SCS** for **SB 48** are out of order as the bills go beyond the scope and intent of the underlying introduced version of the bill citing the following reasons:

- The **SS** and **SCS** introduce new and unrelated material:
 - Nowhere in the original bill does it contemplate a funding mechanism for an Early Cite Permit nor does the early cite permit related to original intent of deposits required by certain public utilities
 - OPC funding was not contemplated in the original bill nor does it have anything to do with deposits required by certain public utilities
- The original bill intent was specifically for utilities regulated under chapter 393 but the **SS** and **SCS** touch upon utilities that are NOT regulated by chapter 393; instead, telecommunication companies are regulated under chapter 392.
- The **SS** and **SCS** expand a very specific title:
 - Original title was “relating to **deposits required by certain** public utilities”
 - The **SS** and **SCS** change the original intent by expanding to “relating to public utilities”

The point of order was referred to the President Pro Tem who ruled it well taken.

SB 48 was again taken up.

At the request of Senator Wright-Jones, **SB 48** was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HB 182, introduced by Representatives Walton Gray, et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of dress in blue for colon cancer awareness day.

Was taken up by Senator Chappelle-Nadal.

Senator Stouffer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 182, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “certain public holidays.”; and

Further amend said bill and page, section 9.165, line 4 by inserting after all of said line the following:

“9.172. The first week of November of each year shall be known as “RSV Awareness Week”, so that public officials and the citizens of Missouri are encouraged to observe the week with appropriate activities and educational outreach to parents and the medical community, as well as programs to raise awareness about the causes of, symptoms of, and ways of preventing the respiratory syncytial virus (RSV).”; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted.

Senator Chappelle-Nadal raised the point of order that **SA 1** is out of order as it goes beyond the title of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Chappelle-Nadal, **HB 182** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Goodman	Green
Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Cunningham	Engler	Kraus—4
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Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal 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.

HCS for **HB 556** was placed on the Informal Calendar.

HB 388, with **SCS**, introduced by Representative Burlison, entitled:

An Act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

Was taken up by Senator Ridgeway.

SCS for HB 388, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 388

An Act to repeal section 376.1250, RSMo, and to enact in lieu thereof one new section relating to patient information provided in advance of certain surgical procedures.

Was taken up.

Senator Ridgeway moved that **SCS for HB 388** be adopted, which motion prevailed.

On motion of Senator Ridgeway, **SCS for HB 388** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe	Parson—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Ridgeway, title to the bill was agreed to.

Senator Ridgeway moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for HB 631, with **SCS**, was placed on the Informal Calendar.

HCS for HB 557, entitled:

An Act to repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HB 557** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
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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—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

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.

HB 738, with **SCS**, introduced by Representatives Nasheed, et al, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student study plans.

Was taken up by Senator Cunningham.

SCS for **HB 738**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 738

An Act to repeal sections 168.124 and 168.221, RSMo, and to enact in lieu thereof five new sections relating to elementary and secondary education.

Was taken up.

Senator Cunningham moved that **SCS** for **HB 738** be adopted.

At the request of Senator Cunningham, **HB 738**, with **SCS** (pending), was placed on the Informal Calendar.

HCS for **HB 631**, with **SCS**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the developmental disabilities waiting list equity trust fund.

Was called from the Informal Calendar and taken up by Senator Lager.

SCS for **HCS** for **HB 631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 631

An Act to amend chapter 143, RSMo, by adding thereto two new sections relating to designation of tax

refunds to certain funds.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 631** be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **HCS** for **HB 631** 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
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Wright-Jones moved that **SB 48** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

On motion of Senator Wright-Jones, **SB 48** was declared perfected and ordered printed.

Senator Kraus moved that **SB 270**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 270**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 270

An Act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

Was taken up.

Senator Kraus moved that **SCS** for **SB 270** be adopted, which motion prevailed on a standing division vote.

Senator Kraus moved that **SCS** for **SB 270** be declared perfected and ordered printed.

Senator Engler requested a roll call vote be taken on the perfection motion and was joined in his request by Senators Crowell, Dempsey, Kehoe and Green.

SCS for **SB 270** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Goodman	Green	Keaveny
Kraus	Lager	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson
Richard	Ridgeway	Rupp	Schaaf	Stouffer	Wasson—22		

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Engler	Justus	Kehoe	Lamping	Pearce
Schaefer	Schmitt	Wright-Jones—11					

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

Senator Green moved that **SJR 12** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Green, **SJR 12** was placed on the Informal Calendar.

Senator Nieves moved that **SJR 15** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Nieves offered **SS** for **SJR 15**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 15

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to state sovereignty.

Senator Nieves moved that **SS** for **SJR 15** be adopted.

At the request of Senator Nieves, **SJR 15**, with **SS** (pending), was placed on the Informal Calendar.

Senator Green moved that **SJR 12** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 12, Page 1, Section 8, Line 1, by striking all of the underlined words on said line; and further amend line 2 by inserting immediately before the word “eight” an opening bracket “[”]; and further amend said line by inserting immediately after the word “eight” the following: “[sixteen”]; and further amend lines 3-8 by striking all of the underlined words on said lines.

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

On motion of Senator Green, **SJR 12**, as amended, was declared perfected and ordered printed.

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 **SB 48**; **SCS** for **SB 270**; and **SCS** for **SB 340**, 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.

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 adopted **SS** for **SCS** for **HCS** for **HB 14** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 14**.

INTRODUCTIONS OF GUESTS

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Jeffery L. Craver, M.D., Clayton.

Senator Crowell introduced to the Senate, Laura Bray and eighth grade students from Immaculate Conception School, Jackson; and Kim Kasten was made an honorary page.

On behalf of Senator Dixon, the President introduced to the Senate, Edin Cruz, Sara Borden and fourth grade students from New Covenant Academy, Springfield.

Senator Justus introduced to the Senate, Mayor-elect Sly James, Kansas City.

Senator Nieves introduced to the Senate, Linda Garcia, parents and fifteen fifth and sixth grade students from St. Ignatius of Loyola School, Marthasville.

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

SENATE CALENDAR

FIFTY-FIFTH DAY—WEDNESDAY, APRIL 20, 2011

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 300, 334 & 387
HB 656-Brandom

HCS for HJR 5

THIRD READING OF SENATE BILLS

SCS for SB 11-McKenna
(In Fiscal Oversight)

SJR 10-Lembke and Green
(In Fiscal Oversight)

SB 204-Dempsey, et al
(In Fiscal Oversight)

SCS for SB 122-Schaaf
(In Fiscal Oversight)

SS#2 for SCS for SB 320-Lamping
(In Fiscal Oversight)

SB 48-Wright-Jones

SCS for SB 270-Kraus

SCS for SB 340-Wasson

SENATE BILLS FOR PERFECTION

1. SB 260-Wasson, with SCS
2. SB 425-Goodman, with SCS
3. SB 400-Kraus, with SCS
4. SB 392-Rupp, with SCS
5. SB 403-Nieves
6. SB 329-Nieves
7. SB 353-Engler

8. SJR 16-Goodman, with SCS
9. SB 391-Lager
10. SB 253-Callahan and Cunningham, with SCS
11. SB 223-Mayer
12. SB 119-Schaefer
13. SB 150-Munzlinger

HOUSE BILLS ON THIRD READING

1. HB 270-Burlison and Swinger, with SCS
(Dempsey) (In Fiscal Oversight)
2. HCS for HBs 73 & 47, with SCS
(Crowell) (In Fiscal Oversight)
3. HCS for HBs 116 & 316, with SCS
(Purgason) (In Fiscal Oversight)
4. HB 229-Curls and Leara (Curls)
5. HB 142-Gatschenberger, with SCS
(Dempsey)
6. HB 186-Entlicher, et al, with SCS
(Parson)
7. HCS for HB 1 (Schaefer)

8. HCS for HB 2, with SCS (Schaefer)
9. HCS for HB 3, with SCS (Schaefer)
10. HCS for HB 4, with SCS (Schaefer)
11. HCS for HB 5, with SCS (Schaefer)
12. HCS for HB 6, with SCS (Schaefer)
13. HCS for HB 7, with SCS (Schaefer)
14. HCS for HB 8, with SCS (Schaefer)
15. HCS for HB 9, with SCS (Schaefer)
16. HCS for HB 10, with SCS (Schaefer)
17. HCS for HB 11, with SCS (Schaefer)
18. HCS for HB 12, with SCS (Schaefer)
19. HCS for HB 13, with SCS (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 18-Schmitt

SS for SB 231-Lager

SENATE BILLS FOR PERFECTION

SBs 1 & 206-Ridgeway, with SCS & SA 1
(pending)
SBs 7, 5, 74 & 169-Goodman, with SCS
SB 10-Rupp
SB 23-Keaveny, with SCS & SS for SCS
(pending)
SB 25-Schaaf, with SCS & SS for SCS
(pending)
SB 28-Brown
SB 37-Lembke, with SCS
SB 52-Cunningham
SB 72-Kraus, with SS (pending)
SBs 88 & 82-Schaaf, with SCS & SA 1
(pending)
SB 120-Stouffer, with SS (pending)
SB 130-Rupp, with SCS & SS for SCS
(pending)
SB 155-Rupp, with SCS
SB 175-Munzlinger, et al, with SA 1
(pending)
SB 176-Munzlinger, et al
SBs 189, 217, 246, 252 & 79-Schmitt,
with SCS

SB 200-Crowell
SB 203-Schmitt, et al, with SS (pending)
SB 208-Lager
SB 209-Lager
SB 228-Pearce
SB 242-Cunningham, with SCS & SS for SCS
(pending)
SB 247-Pearce, with SS (pending)
SB 264-Rupp, with SCS
SB 278-Munzlinger, et al
SB 280-Purgason, et al, with SCS & SS
for SCS (pending)
SBs 291, 184 & 294-Pearce, with SCS &
SA 4 (pending)
SB 299-Munzlinger, with SCS (pending)
SB 326-Wasson
SBs 369 & 370-Cunningham, with SCS
SB 390-Schmitt, et al
SBs 408 & 80-Crowell, with SCS
SB 420-Mayer, with SCS
SJR 11-Munzlinger, with SCS
SJR 15-Nieves, et al, with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 61
HB 71-Nasheed, et al
HB 204-Hoskins, et al (Stouffer)
HCS for HB 338 (Lager)
HB 339-Pollock, et al, with SS (pending)
(Lager)

HB 423-Burlison, et al (Nieves)
HCS for HB 556
HB 738-Nasheed, et al, with SCS
(pending) (Cunningham)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 193, with SS (Rupp) (House
requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SR 179-Purgason
SCR 11-Wright-Jones

HCR 15-Brown (50), et al (Curls)

To be Referred

HCR 42-Funderburk, et al

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