

# Journal of the Senate

SECOND REGULAR SESSION

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**THIRTEENTH DAY—THURSDAY, JANUARY 26, 2012**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“How precious also are thy thoughts unto me, O God! How great is the sum of them!” (Psalm 139:17)

O Lord we ask for the gift of time with our family and friends, time in Your house and time to experience the joy and beauty of the blessings we receive from Your gracious hands. We know that whatever comes into our lives first existed as a thought in Your mind and You help us to deal with whatever may come our way. Thank You for Your graciousness to us that flows from Your Fatherly love for us, Your children. 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 KRCG-TV 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	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 Schmitt offered Senate Resolution No. 1314, regarding Reverend Thomas M. Molini, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1315, regarding the American Heart Association Midwest Affiliate, which was adopted.

**INTRODUCTION OF BILLS**

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

**SB 706**—By Cunningham.

An Act to repeal sections 162.081, 163.021, 163.036, 167.131, 168.104, 168.106, 168.116, 168.124, 168.128, and 168.221, RSMo, and to enact in lieu thereof twenty-five new sections relating to school operations, with an emergency clause for certain sections and an effective date for certain sections.

**SB 707**—By Cunningham.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to diagnostic radiology testing.

**SB 708**—By Wasson.

An Act to repeal sections 135.535 and 135.562, RSMo, and to enact in lieu thereof two new sections relating to tax credits for renovations for disability access.

**SB 709**—By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to disqualifying certain persons receiving public assistance from engaging in gaming activities.

**SB 710**—By Engler, Dempsey, Richard, McKenna, Schmitt, Parson and Lamping.

An Act to amend chapter 195, RSMo, by adding thereto nine new sections relating to a prescription drug monitoring program, with penalty provisions.

**SB 711**—By Lamping.

An Act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

**SB 712**—By Lamping.

An Act to repeal section 135.326, RSMo, and to enact in lieu thereof one new section relating to eligibility for the special needs adoption tax credit.

**SB 713**—By Lamping.

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

**SB 714**—By Lager.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of recreational off-highway vehicles, with penalty provisions.

**SJR 48**—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to holding office as a member of the general assembly after serving on an apportionment commission.

**RESOLUTIONS**

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 1316

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	Assistant Director Budget Research	4,629 - 6,644
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
2	Computer Info. Technologist I	2,383 - 3,351
3	Computer Info. Technologist II	3,108 - 4,441
1	Network/Communications Specialist	3,832 - 5,590

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
1	Composing Equipment Operator III	2,232 - 3,108
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 2013.

Senator Richard offered Senate Resolution No. 1317, regarding Louis Edward Surgi, which was adopted.

### REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 443**, begs leave to report that it has considered the same and recommends that the bill do pass.

### THIRD READING OF SENATE BILLS

**SS** for **SCS** for **SB 443**, introduced by Senator Stouffer, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 443

An Act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language

and a contingent effective date for certain sections.

Was taken up.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 443** 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
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Kraus	Lembke	Nieves	Purgason—4
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Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

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

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

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

**SS** for **SCS** for **SB 467**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 467

An Act to repeal sections 37.850 and 536.087, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 467** 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	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted 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	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

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

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

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

President Pro Tem Mayer assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which were referred **SB 553** and **SB 435**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 439**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 596**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 438**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 547**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SJR 29**, begs leave to report that it has considered the same and recommends that the joint resolution 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 455**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 469**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

### **SECOND READING OF SENATE BILLS**

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

**SB 597**—Jobs, Economic Development and Local Government.

**SB 598**—Ways and Means and Fiscal Oversight.

**SB 599**—Education.

**SB 600**—Judiciary and Civil and Criminal Jurisprudence.

**SB 601**—Education.

**SB 602**—Transportation.

**SB 603**—Financial and Governmental Organizations and Elections.

**SB 604**—Judiciary and Civil and Criminal Jurisprudence.

**SB 605**—Rules, Joint Rules, Resolutions and Ethics.

**SB 606**—Commerce, Consumer Protection, Energy and the Environment.

**SB 607**—Transportation.

**SB 608**—Health, Mental Health, Seniors and Families.

**SB 609**—Judiciary and Civil and Criminal Jurisprudence.

**SB 610**—Transportation.

**SB 611**—Transportation.

- SB 612**—Ways and Means and Fiscal Oversight.  
**SB 613**—Judiciary and Civil and Criminal Jurisprudence.  
**SB 614**—Judiciary and Civil and Criminal Jurisprudence.  
**SB 615**—Jobs, Economic Development and Local Government.  
**SB 616**—Small Business, Insurance and Industry.  
**SB 617**—Health, Mental Health, Seniors and Families.  
**SB 618**—Financial and Governmental Organizations and Elections.  
**SB 619**—Small Business, Insurance and Industry.  
**SB 620**—Small Business, Insurance and Industry.  
**SB 621**—Financial and Governmental Organizations and Elections.  
**SB 622**—Small Business, Insurance and Industry.  
**SB 623**—Financial and Governmental Organizations and Elections.  
**SB 624**—Small Business, Insurance and Industry.  
**SB 625**—Veterans’ Affairs, Emerging Issues, Pensions and Urban Affairs.

**SECOND READING OF  
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:  
**SCR 19**—Rules, Joint Rules, Resolutions and Ethics.

**INTRODUCTIONS OF GUESTS**

Senator Nieves introduced to the Senate, Pat Dolan, Washington; and Kathie Zuroweste, New Haven.  
On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 30, 2012.

SENATE CALENDAR

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FOURTEENTH DAY—MONDAY, JANUARY 30, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 626-Kehoe	SB 630-Parson
SB 627-Schaefer	SB 631-Parson
SB 628-Schaefer	SB 632-Stouffer
SB 629-Schaefer	SB 633-Engler



SB 634-Pearce	SB 674-Schaaf
SB 635-Pearce	SB 675-Crowell
SB 636-Keaveny	SB 676-Nieves
SB 637-Brown	SB 677-Pearce
SB 638-Lamping	SB 678-Schaaf
SB 639-Schaaf	SB 679-Dixon
SB 640-Schaaf	SB 680-Nieves
SB 641-Pearce	SB 681-Lager
SB 642-Wasson	SB 682-Dempsey, et al
SB 643-Keaveny	SB 683-Crowell
SB 644-Schaefer	SB 684-Crowell
SB 645-Schaefer	SB 685-Crowell
SB 646-Engler	SB 686-Schaaf
SB 647-Richard	SB 687-Schmitt
SB 648-Dempsey	SB 688-Schmitt
SB 649-Ridgeway	SB 689-Engler and Schmitt
SB 650-Ridgeway	SB 690-Engler
SB 651-Schaefer	SB 691-Engler and Callahan
SB 652-Lager	SB 692-Stouffer
SB 653-Lager	SB 693-Crowell
SB 654-Lager	SB 694-Nieves
SB 655-Green, et al	SB 695-Parson
SB 656-Lager and Dixon	SB 696-Kraus
SB 657-Rupp	SB 697-Wasson
SB 658-Rupp	SB 698-Richard
SB 659-Dempsey and Rupp	SB 699-Goodman, et al
SB 660-Schmitt	SB 700-Lamping
SB 661-Schmitt	SB 701-Mayer
SB 662-Schmitt	SB 702-Pearce
SB 663-Chappelle-Nadal	SB 703-Wright-Jones
SB 664-Chappelle-Nadal	SB 704-Wright-Jones
SB 665-Stouffer	SB 705-Wright-Jones
SB 666-Keaveny	SB 706-Cunningham
SB 667-Wasson	SB 707-Cunningham
SB 668-Lembke	SB 708-Wasson
SB 669-Lembke	SB 709-Schaaf
SB 670-Green	SB 710-Engler, et al
SB 671-Parson	SB 711-Lamping
SB 672-Brown	SB 712-Lamping
SB 673-Brown	SB 713-Lamping

SB 714-Lager  
SJR 43-Green  
SJR 44-Green  
SJR 45-Nieves

SJR 46-Lager  
SJR 47-Rupp  
SJR 48-Dixon

HOUSE BILLS ON SECOND READING

HCS for HJR 43  
HB 1135-Smith (150), et al

HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SB 464-Schaaf (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SBs 553 & 435-Brown, with SCS  
SB 439-Mayer, with SCS  
SB 596-Brown, with SCS  
SB 438-Mayer

SB 547-Purgason  
SJR 29-Lamping  
SB 455-Pearce  
SB 469-Dixon, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 3 (pending)

RESOLUTIONS

SR 1316-Dempsey

