

Journal of the Senate

FIRST REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 16, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk in wisdom towards them that are without...let your speech be always with grace.” (Colossians 4:5-6)

Almighty God, help us do our best at all times, to behave as You would have Your children “walk in wisdom”. Help us that we might use our intelligence wisely, at every opportunity to effectively help those who are hurting and provide direction for those who are lost. May our daily behavior express warm hearts, kindly voices and an open hand for those in need and may our speech be endowed with grace for others to see and know You through us. 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 Richard announced 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	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 38, regarding the late Senator J. Bernard “Jet” Banks, which was adopted.

Senator Dempsey offered Senate Resolution No. 39, regarding Keith Schneider, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 40, regarding Denice McKeown, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 41, regarding Jerry E. Scheidegger, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 42, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Andrew Schneider, St. Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 43, regarding Joan Koechig, St. Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 44, regarding Timothy Weinmann, Arnold, which was adopted.

Senator Sifton offered Senate Resolution No. 45, regarding Larry R. and Pamela M. Knox, Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 46, regarding the Fortieth Anniversary of Webster Child Care Center, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 47, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Michael Dalton, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 48, regarding Jaden Blaze Pankratz, which was adopted.

Senator LeVota offered Senate Resolution No. 49, regarding Stan Shurmantine, Independence, which was adopted.

Senator Richard offered Senate Resolution No. 50, regarding Andy Thomas, Carthage, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 51, regarding Reverend Everett R. Thomas, Sr., Northwoods, which was adopted.

Senators Silvey and Schaaf offered Senate Resolution No. 52, regarding Spencer D. Fields, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, the State of Missouri has a rich and complex history; and

WHEREAS, the lives of Missourians are enriched by a broad and deep understanding of that history; and

WHEREAS, the State of Missouri was formally admitted into the Union of the United States of America on August 10, 1821; and

WHEREAS, the year 2021 marks the bicentennial of the State of Missouri’s admission into the Union; and

WHEREAS, commemorative events drawing attention to the passage of historical milestones offer significant opportunities for generating interest in documenting and celebrating the exceptionalism of a state's history; and

WHEREAS, the Missouri General Assembly by statute (Chapter 183) authorized the State Historical Society of Missouri to act as a "trustee" of the state's history; and

WHEREAS, the State Historical Society of Missouri is responsible for collecting, preserving, and sharing the materials for the study of the history of Missouri and the heritage of Missourians; and

WHEREAS, since its creation in 1898, the State Historical Society of Missouri has become the premier institution for the study and celebration of Missouri state and local history and aspires to build the Center for Missouri Studies; and

WHEREAS, statewide commemorations require significant preparation and planning over multiple years:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the State Historical Society of Missouri to develop plans, ideas, and proposals to commemorate and celebrate the State of Missouri's bicentennial; and

BE IT FURTHER RESOLVED that the State Historical Society of Missouri ready itself to provide guidance and direction to a statewide effort to promote and celebrate the State of Missouri's rich and complex history through and beyond a bicentennial celebration in the year 2021; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the director of the State Historical Society of Missouri.

INTRODUCTION OF BILLS

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

SB 142—By Sifton.

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

SB 143—By Walsh.

An Act to repeal sections 352.070, 352.090, and 355.020, RSMo, and to enact in lieu thereof three new sections relating to religious and charitable associations.

SB 144—By Walsh.

An Act to repeal section 575.021, RSMo, and to enact in lieu thereof one new section relating to obstruction of an ethics investigation, with existing penalty provisions.

SB 145—By Walsh.

An Act to repeal sections 115.275 and 115.289, RSMo, and to enact in lieu thereof three new sections relating to voting in advance of an election.

SB 146—By Schaaf.

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

SB 147—By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

SB 148—By Wasson.

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of salvage certificate of titles or junking certificates to insurance companies.

SB 149—By Keaveny.

An Act to repeal sections 578.600, 578.602, 578.604, 578.606, 578.610, 578.612, 578.614, 578.620, and 578.622, RSMo, and to enact in lieu thereof twenty-seven new sections relating to possession of exotic animals, with penalty provisions.

SB 150—By Munzlinger, Brown, Libla, Romine, Sater, Emery, Wasson, Cunningham, Dixon and Kraus.

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to certain federal laws regarding firearms, with a penalty provision and an emergency clause.

SB 151—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 152—By Curls.

An Act to repeal section 211.073, RSMo, and to enact in lieu thereof one new section relating to sentences under dual jurisdiction.

SB 153—By Curls.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

SB 154—By Richard.

An Act to repeal section 379.140, RSMo, and to enact in lieu thereof one new section relating to insurance payments for covered loss or damage.

SB 155—By Nasheed.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the labeling of genetically modified food, with a penalty provision.

SB 156—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the implementation of the Patient Protection and Affordable Care Act.

SB 157—By Sater.

An Act to repeal sections 407.300 and 407.303, RSMo, and to enact in lieu thereof two new sections relating to scrap metal, with existing penalty provisions.

SB 158—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to enabling health insurers authorized to sell health insurance coverage in selected states to engage in the business of health insurance in Missouri.

SB 159—By Schmitt, Schaefer and Walsh.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

SJR 11—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the budget reserve fund.

SJR 12—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a)

of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Alana M. Barragan-Scott to the Administrative Hearing Commission, submitted to you on January 9, 2013. Lines 3 and 4 should be amended to read:

December 12, 2018, and until her successor is duly appointed and qualified; vice, Joseph Bindbeutel, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Patrick B. Harr to the Northwest Missouri State University Board of Regents, submitted to you on January 9, 2013. Lines 1, 2 and 3 should be amended to read:

Patrick B. Harr, Republican, 9A Faustiana Place, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2019, and until his successor is duly appointed and

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Student Representative to the University of Missouri Board of Curators, Amy Johnson and her father, David, Kansas City.

Senator Schmitt introduced to the Senate, Christine Jacobs, M.D., Sean Ragain, M.D., Ginger Fewell, M.D., and Megan Stock, M.D., representatives of Saint Louis University Family Medicine.

Senator Schmitt introduced to the Senate, the Physician of the Day, Dr. John Hagen, Ballwin.

On behalf of Senator Wallingford and himself, the President introduced to the Senate, Madison County Commissioner, Bob Mooney, Fredericktown.

Senator Rupp introduced to the Senate, his parents, Chester and Eleanor, St. Charles.

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

SENATE CALENDAR

SIXTH DAY—THURSDAY, JANUARY 17, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger	SB 86-Keaveny
SB 57-Romine	SB 87-Schaaf
SB 58-Romine	SB 88-Schaaf
SB 59-Rupp	SB 89-Munzlinger
SB 60-Rupp	SB 90-McKenna
SB 61-Keaveny	SB 91-Justus
SB 62-Keaveny	SB 92-Justus
SB 63-Schmitt	SB 93-Justus
SB 64-Dixon	SB 94-Justus
SB 65-Dixon	SB 95-Justus
SB 66-Dixon	SB 96-Justus
SB 67-Dixon	SB 97-Schaefer
SB 68-Parson	SB 98-Schaefer
SB 69-Keaveny	SB 99-Keaveny
SB 70-Munzlinger	SB 100-Keaveny
SB 71-Parson	SB 101-Wasson
SB 72-Schaefer	SB 102-Kraus
SB 73-Schaefer	SB 103-Kraus
SB 74-Richard	SB 104-Kraus
SB 75-Brown	SB 105-Brown
SB 76-Brown	SB 106-Brown
SB 77-Lamping	SB 107-Lamping
SB 78-Lamping	SB 108-Kraus
SB 79-Lamping	SB 109-Brown
SB 80-Romine	SB 110-Brown
SB 81-Schaefer	SB 111-Emery
SB 82-Schaefer	SB 112-Rupp and Richard
SB 83-Parson	SB 113-Schmitt
SB 84-Rupp	SB 114-Schmitt
SB 85-McKenna	SB 115-Schmitt

SB 116-Kraus	SB 143-Walsh
SB 117-Kraus	SB 144-Walsh
SB 118-Kraus	SB 145-Walsh
SB 119-Emery	SB 146-Schaaf
SB 120-Schmitt	SB 147-Wasson
SB 121-Schaefer	SB 148-Wasson
SB 122-Schaefer	SB 149-Keaveny
SB 123-Chappelle-Nadal	SB 150-Munzlinger, et al
SB 124-Chappelle-Nadal	SB 151-Curls
SB 125-Nasheed	SB 152-Curls
SB 126-Sater	SB 153-Curls
SB 127-Sater	SB 154-Richard
SB 128-Sater	SB 155-Nasheed
SB 129-Sater	SB 156-Sater
SB 130-Schaefer	SB 157-Sater
SB 131-Nasheed	SB 158-Sater
SB 132-Keaveny	SB 159-Schmitt, et al
SB 133-Keaveny	SJR 3-Schaefer
SB 134-Sater	SJR 4-Lamping
SB 135-Sater	SJR 5-Lamping
SB 136-Sater	SJR 6-Kraus
SB 137-Sater	SJR 7-Dixon
SB 138-Kraus	SJR 8-Dixon
SB 139-Kehoe	SJR 9-Emery
SB 140-Brown	SJR 10-Nasheed
SB 141-Dempsey	SJR 11-Curls
SB 142-Sifton	SJR 12-Sater

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 2-Richard

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