

Journal of the Senate

FIRST REGULAR SESSION

FOURTEENTH DAY—MONDAY, FEBRUARY 4, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those who counsel peace know joy.” (Proverbs 12:20)

Almighty God, on such a beautiful day, it is hard to look about us and not see Your presence and You provide us guidance so that we might know the joy that comes from knowing You. May we this week be about those things that lead us to You and do the things You require so we live and speak and act as we should 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 31, 2013 was read and approved.

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 Brown offered Senate Resolution No. 215, regarding Kenneth Bassett, which was adopted.

Senator Cunningham offered Senate Resolution No. 216, regarding Robert Kline, Gainesville, which was adopted.

Senator Cunningham offered Senate Resolution No. 217, regarding Rick Mosher, which was adopted.

Senator Parson offered Senate Resolution No. 218, regarding Tim MacLean State Farm Insurance Agency, Sedalia, which was adopted.

Senator Richard offered Senate Resolution No. 219, regarding the Fiftieth Anniversary of Crowder College, Neosho, which was adopted.

Senator Nasheed offered Senate Resolution No. 220, regarding the Arts and Education Council of Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 221, regarding Andrew Grey Jones, which was adopted.

Senator Wasson offered Senate Resolution No. 222, regarding Adam Nicholas DeGood, which was adopted.

Senator Wasson offered Senate Resolution No. 223, regarding James Luke Thomas, which was adopted.

Senator Wasson offered Senate Resolution No. 224, regarding Daniel Steven Akeson, which was adopted.

Senator Wasson offered Senate Resolution No. 225, regarding Michael Steven Akeson, which was adopted.

Senator Holsman offered Senate Resolution No. 226, regarding Gerry Marlin, which was adopted.

INTRODUCTION OF BILLS

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

SB 253—By Justus.

An Act to repeal sections 32.057, 105.478, 115.631, 130.028, 130.031, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.165, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 260.207, 260.208, 260.211, 260.212, 260.379, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.321, 302.500, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096,

338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, 527.290, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.026, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.105, 559.106, 559.107, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.086, 566.090, 566.093, 566.095, 566.100, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054,

577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.425, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof seven hundred twenty-three new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date for a certain section and an expiration date for a certain section.

SB 254—By Pearce.

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to loan fees.

SB 255—By Schmitt and Schaefer.

An Act to repeal section 287.610, RSMo, and to enact in lieu thereof one new section relating to the administrative law judge review committee.

SB 256—By Silvey.

An Act to repeal sections 210.950 and 211.447, RSMo, and to enact in lieu thereof two new sections relating to the safe place for newborns act.

SB 257—By Silvey.

An Act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

SB 258—By LeVota.

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof four new

sections relating to the board of directors of the Kansas City school district.

SB 259—By Schaaf.

An Act to repeal sections 192.020 and 192.131, RSMo, and to enact in lieu thereof two new sections relating to reportable infectious diseases.

SB 260—By Brown.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to reimbursement of nonparticipating facility-based providers.

Senator Richard requested unanimous consent of the Senate to suspend Senate Rule 49 for the purpose of printing **SB 253**, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Schaefer moved that the committee report be adopted and the Senate do give its advice and consent to the appointment of Douglas E. Nelson, as Commissioner of Administration, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1

An Act to repeal sections 287.067, 287.120, 287.140, 287.210, 287.220, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof nine new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Was taken up.

Senator Rupp moved that **SCS** for **SB 1** be adopted.

Senator Kehoe assumed the Chair.

Senator Silvey assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 1, Page 15, Section 287.220, Lines 116-117, by striking “and with the express authorization of the majority of the second injury fund commission” and inserting in lieu thereof the following: “, **president pro tempore of the senate, and the speaker of the house of representatives**”; and further amend lines 120-121, by striking “and with the express authorization of a majority of the second injury fund commission” and inserting in lieu thereof the following: “, **president pro tempore of the senate, and the speaker of the house of representatives**”; and

Further amend said bill, page 23, section 287.715, lines 107-126, by striking all of said lines.

Senator Rupp moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 1, Page 20, Section 287.715, Line 20, by striking “2006” and inserting in lieu thereof the following: “**2014**”; and further amend line 21, by striking the word “three” and inserting in lieu thereof the following: “**four and one-half**”; and

Further amend said bill and section, page 22, lines 83-99, by striking all of said lines; and further renumber the remaining subsections accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Holsman offered **SA 1** to **SA 2**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2**

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 1, Page 1, Section 287.715, Lines 4-5, by striking “four and one-half” and inserting in lieu thereof the following: “**seven**”; and

Further amend said amendment, line 8, by inserting immediately after all of said line the following: “And further amend page 23 of said bill, section 287.715, lines 105-106 by striking all of said lines and renumbering subsequent subsections accordingly.”

Senator Holsman moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Silvey assumed the Chair.

At the request of Senator Rupp, **SB 1**, with **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

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

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 4, 2013

REORGANIZATION PLAN NO. 1

2013

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2013, by Executive Order 13-01, to transfer the Center for Emergency Response and Terrorism from the Department of Health and Senior Services and assign it, and all of its responsibilities and functions, to the Department of Public Safety. The Center for Emergency Response and Terrorism will retain all functions

and authority as provided by law. The Department of Public Safety shall furnish administrative support and staff as is necessary for the effective operation of the Center for Emergency Response and Terrorism.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-01

WHEREAS, the Department of Public Safety, created pursuant to Article IV, Section 48 of the Missouri Constitution and Chapter 650, RSMo, is responsible for providing coordination between local, state, and federal agencies in regard to public safety and law enforcement programs; and

WHEREAS, the State Emergency Management Agency (SEMA), established pursuant to Section 44.020, RSMo, is a division of the Department of Public Safety and responsible for assisting federal, state, local and faith-based activities related to emergency functions by coordinating response, recovery, planning and mitigation; and

WHEREAS, the Office of Homeland Security, established within the Department of Public Safety, is responsible for coordinating activities to promote unity of effort among federal, state, local, private sector, and citizen activities related to emergency preparedness and homeland security; and

WHEREAS, the Department of Public Safety oversees the coordinated emergency response to natural and man-made disasters on behalf of the State of Missouri and coordinates emergency response planning and preparedness through SEMA and the Office of Homeland Security using an all-hazard approach; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Chapter 192, RSMo, is responsible for public health and aging issues; and

WHEREAS, the Center for Emergency Response and Terrorism is located within the Department of Health and Senior Services to coordinate emergency response and preparedness among public health agencies relating to terrorism, natural disasters, and pandemic; and

WHEREAS, transferring the Center for Emergency Response and Terrorism's response, planning, and preparedness responsibilities to the Department of Public Safety will promote coordination and consistency among emergency response agencies; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Department of Health and Senior Services and the Department of Public Safety to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all emergency response, planning, and preparedness responsibilities within the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Public Safety; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 4, 2013

**REORGANIZATION PLAN NO. 2
2013**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2013, by Executive Order 13-02, to transfer post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development and assign those responsibilities and functions to the Department of Revenue. The Department of Revenue shall furnish administrative support and staff as is necessary for the effective operation of the post-issuance compliance functions for tax credit and job incentive programs administered by the Department of Economic Development.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-02

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, the Missouri Department of Revenue is created pursuant to Article IV, Section 22, of the Missouri Constitution and Chapter 32, RSMo; and

WHEREAS, the Missouri Department of Economic Development’s mission is to promote economic growth and job creation; and

WHEREAS, the Missouri Department of Revenue is a regulatory agency charged with collecting revenue and ensuring compliance with Missouri’s tax laws; and

WHEREAS, the Missouri Department of Economic Development administers tax credit and job incentive programs; and

WHEREAS, the Missouri Department of Revenue currently performs various functions related to tax credit and job incentive programs, including those associated with the redemption of tax credits issued through the programs administered by the Missouri Department of Economic Development; and

WHEREAS, the Missouri Department of Revenue is positioned to perform post-issuance compliance functions related to such tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will provide greater efficiency and accountability in the state's tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will enable the Missouri Department of Economic Development to provide greater focus on its core mission of expanding the state's economy; and

WHEREAS, I am committed to integrating and consolidating government operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of these post-issuance compliance functions from the Missouri Department of Economic Development to the Missouri Department of Revenue will make state government more efficient and effective.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Economic Development and the Missouri Department of Revenue to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer the above-referenced functions to the Missouri Department of Revenue; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 4, 2013

REORGANIZATION PLAN NO. 3

2013

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2013, by Executive Order 13-03, to

transfer the Division of Energy from the Department of Natural Resources and assign it, and all of its responsibilities and functions, to the Department of Economic Development. The Division of Energy will retain all functions and authority as provided by law. The Department of Economic Development shall furnish administrative support and staff as is necessary for the effective operation of the Division of Energy.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-03

WHEREAS, the Missouri Department of Natural Resources is created pursuant Article IV, Section 47 of the Missouri Constitution and Chapter 640, RSMo; and

WHEREAS, the Division of Energy, located within the Missouri Department of Natural Resources, is responsible for promoting energy efficiency and security through policy development, research, and educational outreach; and

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo, and is charged with promoting economic growth and job creation; and

WHEREAS, energy production and efficiency are crucial to moving Missouri's economy forward; and

WHEREAS, I am committed to integrating and consolidating governmental operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development will benefit the State of Missouri by creating efficiencies through a better alignment of goals which will help promote the development, security, and affordability of diverse energy sources essential to the future of Missouri's economy.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Natural Resources and the Missouri Department of Economic Development to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop the mechanisms and processes necessary to effectively transfer the Division of Energy to the Missouri Department of Economic Development; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Wayne Wallingford to the Joint Committee on Legislative Research.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Brian Munzlinger to the Joint Committee on Transportation Oversight.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Will Kraus to the Joint Committee on Tax Policy.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Ed Emery to the Joint Committee on Government Accountability.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the Joint Committee on Court Automation.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

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

Dear Ms. Spieler:

I am appointing Senator Dan Brown to the Joint Committee on MO HealthNet.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

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

SENATE CALENDAR

FIFTEENTH DAY—TUESDAY, FEBRUARY 5, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp	SB 240-Lager
SB 212-Cunningham	SB 241-Lager
SB 213-Kraus	SB 242-Kehoe
SB 214-Silvey	SB 243-Brown
SB 215-Silvey	SB 244-Schaefer
SB 216-Silvey	SB 245-Justus
SB 217-LeVota	SB 246-Walsh
SB 218-LeVota	SB 247-Walsh
SB 219-Sater	SB 248-Wasson
SB 220-Lamping	SB 249-Nasheed
SB 221-Lamping	SB 250-Schaaf
SB 222-Lamping	SB 251-Kraus and Chappelle-Nadal
SB 223-Curls	SB 252-Kraus
SB 224-Curls, et al	SB 253-Justus
SB 225-Curls	SB 254-Pearce
SB 226-Schaefer	SB 255-Schmitt and Schaefer
SB 227-LeVota	SB 256-Silvey
SB 228-Holsman	SB 257-Silvey
SB 229-Brown	SB 258-LeVota
SB 230-Brown	SB 259-Schaaf
SB 231-Munzlinger	SB 260-Brown
SB 232-Wallingford	SJR 8-Dixon
SB 233-Sater, et al	SJR 9-Emery
SB 234-Wasson	SJR 10-Nasheed and Walsh
SB 235-Cunningham	SJR 11-Curls
SB 236-Parson	SJR 12-Sater
SB 237-Emery	SJR 13-Chappelle-Nadal
SB 238-Emery	SJR 14-Schaefer, et al
SB 239-Emery	SJR 15-Schaaf

HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SCS for SB 47-Lamping

SENATE BILLS FOR PERFECTION

SB 7-Pearce, with SCS
SB 3-Rupp
SB 21-Dixon

SB 22-Dixon
SB 33-Lamping, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SA 2 & SA 1 to SA 2
(pending)

SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 1/31

SB 16-Munzlinger

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