

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SECOND DAY—THURSDAY, MARCH 7, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“God is love. He didn’t need us. But he wanted us. And that is the most amazing thing.” (Rick Warren)

Creator God, we are so aware that You are a loving God who wants us to love one another and especially those You have given us to love. It is such an amazing thing to know that our human relationships reflect, in such a finite way, the love You have for Your creation. Yet help us to express this love in the most caring of ways so others may know Your love through us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

| | | | | | | | |
|---------|-----------------|------------|----------|---------|---------|---------|-------------|
| Brown | 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 McKenna offered Senate Resolution No. 449, regarding Dolores Cash, which was adopted.

Senator Lamping offered Senate Resolution No. 450, regarding Fulbright Scholar Ja Tum Seng, which was adopted.

Senator Lamping offered Senate Resolution No. 451, regarding Fulbright Scholar María Pérez, which was adopted.

Senator Lamping offered Senate Resolution No. 452, regarding Fulbright Scholar Daniel Soto, which was adopted.

Senator Kraus offered Senate Resolution No. 453, regarding Audrey Link, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 127**; **SB 236**; and **SCS** for **SB 240**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SB 127, introduced by Senator Sater, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MOHealthNet dental benefits.

Was taken up.

On motion of Senator Sater, **SB 127** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Pearce assumed the Chair.

SB 41, introduced by Senator Munzlinger, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

Was taken up.

On motion of Senator Munzlinger, **SB 41** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|------------|------------|----------|---------|--------|-------------|-----------|
| Brown | Cunningham | Dempsey | Dixon | Emery | Kehoe | Kraus | Lager |
| Lamping | Libla | Munzlinger | Nasheed | Nieves | Parson | Pearce | Richard |
| Romine | Rupp | Sater | Schaefer | Schmitt | Silvey | Wallingford | Wasson—24 |

NAYS—Senators

| | | | | | | | |
|-----------------|----------|---------|--------|---------|--------|---------|--------|
| Chappelle-Nadal | Curls | Holsman | Justus | Keaveny | LeVota | McKenna | Schaaf |
| Sifton | Walsh—10 | | | | | | |

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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 Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 240**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240

An Act to repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations, with an emergency clause for a certain section.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SB 240** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|------------|---------|-------|---------|------------|--------|-------------|
| Brown | Cunningham | Dempsey | Dixon | Emery | Keaveny | Kehoe | Kraus |
| Lager | Lamping | LeVota | Libla | McKenna | Munzlinger | Nieves | Pearce |
| Richard | Romine | Rupp | Sater | Schaaf | Schaefer | Silvey | Wallingford |
| Walsh | Wasson—26 | | | | | | |

NAYS—Senators

Chappelle-Nadal Curls Holsman Justus Schmitt Sifton—6

Absent—Senators

Nasheed Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

| | | | | | | | |
|---------|------------|---------|------------|----------|-------------|--------|-----------|
| Brown | Cunningham | Dempsey | Dixon | Keaveny | Kehoe | Kraus | Lager |
| Lamping | LeVota | McKenna | Munzlinger | Nieves | Parson | Pearce | Richard |
| Romine | Rupp | Sater | Schaaf | Schaefer | Wallingford | Walsh | Wasson—24 |

NAYS—Senators

Chappelle-Nadal Curls Emery Holsman Justus Libla Schmitt Sifton
 Silvey—9

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

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 Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 164**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 164

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection.

Was taken up by Senator Walsh.

On motion of Senator Walsh, **SCS** for **SB 164** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 193, introduced by Senator Schaefer, entitled:

An Act to amend chapter 161, RSMo, by adding thereto two new sections relating to the education of gifted and talented children.

Was taken up.

On motion of Senator Schaefer, **SB 193** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SS for SCS for SB 114, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 114

An Act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to intoxicating liquor, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 114** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|------------|-----------------|------------|---------|---------|---------|-------------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dempsey | Dixon | 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—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

| | | | | | | | |
|------------|-----------------|------------|---------|---------|---------|-------------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dempsey | Dixon | 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—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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

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

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

SB 102, introduced by Senator Kraus, entitled:

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

Was taken up.

On motion of Senator Kraus, **SB 102** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 73, introduced by Senator Schaefer, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

Was taken up.

On motion of Senator Schaefer, **SB 73** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 18, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 33.300, 37.850, and 164.151, RSMo, and to enact in lieu thereof five new sections relating to the transparency and accountability of public funds, with an emergency clause.

Was taken up.

On motion of Senator Munzlinger, **SB 18** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

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 Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 129, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 129

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

Was taken up.

On motion of Senator Sater, **SS for SCS for SB 129** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | | |
|--------|-----------------|------------|-----------|---------|------------|----------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dempsey | Dixon | Emery | Kehoe |
| Kraus | Lager | Lamping | Libla | McKenna | Munzlinger | Nieves | Parson |
| Pearce | Richard | Romine | Rupp | Sater | Schaaf | Schaefer | Schmitt |
| Silvey | Wallingford | Walsh | Wasson—28 | | | | |

NAYS—Senators

| | | | | | |
|---------|--------|---------|--------|---------|----------|
| Holsman | Justus | Keaveny | LeVota | Nasheed | Sifton—6 |
|---------|--------|---------|--------|---------|----------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 208, introduced by Senators Justus and McKenna, entitled:

An Act to repeal section 211.036, RSMo, and to enact in lieu thereof one new section relating to reentry into the custody of the children’s division.

Was taken up by Senator Justus.

On motion of Senator Justus, **SB 208** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 199, introduced by Senator Chappelle-Nadal, entitled:

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 199** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

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 Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 157, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157

An Act to repeal sections 407.300, 407.302, and 407.303, RSMo, and to enact in lieu thereof three new sections relating to scrap metal, with penalty provisions.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS for SB 157** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SCS for SB 36, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 36

An Act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to juvenile criminal offenders.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS for SB 36** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 236, introduced by Senator Parson, entitled:

An Act to repeal section 43.265, RSMo, and to enact in lieu thereof one new section relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

Was taken up.

On motion of Senator Parson, **SB 236** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

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 Richard moved that motion lay on the table, which motion prevailed.

SB 90, introduced by Senator McKenna, entitled:

An Act to repeal section 77.030, RSMo, and to enact in lieu thereof one new section relating to terms for councilmen in third class cities.

Was called from the Consent Calendar and taken up.

On motion of Senator McKenna, **SB 90** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 218, introduced by Senator LeVota, entitled:

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof two new sections relating to the display of the Honor and Remember flag at state buildings and state parks.

Was called from the Consent Calendar and taken up.

On motion of Senator LeVota, **SB 218** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 234, introduced by Senator Wasson, entitled:

An Act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 234** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Lager assumed the Chair.

SB 148, introduced by Senator Wasson, entitled:

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.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 148** was read the 3rd time and passed by the following vote:

YEAS—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 | | | | | | |

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

President Pro Tem Dempsey 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 was referred **SB 292**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 207**, 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 Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 294**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 241**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Justus, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 224**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 211**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 125**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 216**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 137**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on General Laws, to which was referred **SJR 14**, 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 General Laws, to which was referred **SB 72**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 65**, 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 Financial and Governmental Organizations and Elections, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 61, Page 1, Section 29.305, Line 1, by inserting immediately after “1.” the following: **“If funding is available as required under subsection 6 of this section,”**; and

Further amend said bill and section, page 2, lines 37-38, by striking the following: “by June 30, 2015” and inserting in lieu thereof the following: **“within two years of receiving sufficient money in the fund created under this section to cover the costs of completing the report”**; and further amend line 38, by inserting immediately after all of said line the following:

“5. There is hereby created in the state treasury the “Report on the Costs of Administering the Death Penalty Fund”, which shall consist of money collected under this section. Moneys in the fund shall consist only of gifts, donations, or grants from private sources to pay for the costs of completing the report pursuant to this section and such moneys shall be credited to the fund. The treasurer is authorized to accept all gifts, bequests, and donations from any private source whatsoever to the fund and all such gifts, bequests, and donations shall be placed in the fund. The fund shall be a dedicated fund and money in the fund shall be appropriated by the general assembly to pay for the auditor’s costs in completing the report on the death penalty pursuant to this section. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The auditor shall only work on the one-time report on the costs of the death penalty pursuant to this section if all costs to the auditor’s office that are associated with the report are paid for by the fund created under this section.”.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 191**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 35**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 178**, 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 Veterans' Affairs and Health, to which was referred **SB 186**, 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 Veterans' Affairs and Health, to which was referred **SB 230**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 252**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 222**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager assumed the Chair.

HOUSE BILLS ON SECOND READING

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

HB 55—Appropriations.

HCS for **HB 202**—Education.

HCS for **HB 158**—Jobs, Economic Development and Local Government.

HCS for **HB 388**—Education.

HB 44—Commerce, Consumer Protection, Energy and the Environment.

HB 34—Small Business, Insurance and Industry.

HCS for **HB 320**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 14**—Appropriations.

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 passed **HJR 16**, 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 admissibility of evidence.

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 **HJR 4**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the term limit reform act.

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 **HB 473**, entitled:

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to gas corporations, with an emergency clause.

Emergency clause adopted.

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 **HB 117**, entitled:

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with 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 adopted **HCR 5**.

HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the people of the State of Missouri have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this state in the Armed Forces; and

WHEREAS, veterans have paid the high price for freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from the State of Missouri who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, many men and women have given their lives while serving in the Armed Forces; and

WHEREAS, many citizens of our state have earned the Purple Heart Medal, as a result of being wounded while engaged in combat with an enemy force, recognized as a singularly meritorious act of essential service:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby designate the State of Missouri as a Purple Heart State, honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 454, regarding Nicholas James Hochstatter, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 455, regarding Patrick Stephen Kirk, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 456, regarding John Lawrence Kenney, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 457, regarding Amanda Sarver, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 458, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jon C. Carr, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 459, regarding the Seventy-fourth Wedding Anniversary of Mr. and Mrs. Herbert E. Spindler, Jr., St. Joseph, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Boyd Terry, Columbia.

Senator Schaefer introduced to the Senate, Dr. M. Frederick Hawthorne, University of Missouri, Columbia.

Senator Schmitt introduced to the Senate, sponsors and fourth grade students from North Glendale Elementary.

Senator Schaefer introduced to the Senate, representatives of University of Missouri Undergraduate Research Day from around the state.

Senator Wallingford introduced to the Senate, James Russell, Sue Rees, Terri Jackson, Jennifer Byrum,

James Stovall and forty seventh grade students from Nell Holcomb R-IV School District, Cape Girardeau.

Senator Parson introduced to the Senate, Patti Hutton, David Oaks and twenty eighth grade students from Weaubleau Middle School.

Senator Dixon introduced to the Senate, forty students from David Harrison Elementary School, Springfield.

Senator Wallingford introduced to the Senate, Tracy McClard, Jackson.

Senator Dixon introduced to the Senate, Kevin Huffman and his son, Aaron.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 11, 2013.

SENATE CALENDAR

THIRTY-THIRD DAY—MONDAY, MARCH 11, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

| | |
|------------------------------------|-------------------------|
| SB 393-Libla and Emery | SB 416-Dixon |
| SB 394-Silvey | SB 417-Lager |
| SB 395-Kraus and LeVota | SB 418-Lager |
| SB 396-Holsman and Chappelle-Nadal | SB 419-Lager |
| SB 397-Holsman and Curls | SB 420-Lager |
| SB 398-Holsman | SB 421-Walsh |
| SB 399-Holsman and Curls | SB 422-Curls and LeVota |
| SB 400-Holsman | SB 423-Nasheed |
| SB 401-Rupp | SB 424-Nasheed |
| SB 402-Rupp | SB 425-Nasheed |
| SB 403-Rupp | SB 426-Nasheed |
| SB 404-Munzlinger | SB 427-Sifton |
| SB 405-Sater | SB 428-Sifton |
| SB 406-Wallingford | SB 429-Chappelle-Nadal |
| SB 407-Wallingford | SB 430-Chappelle-Nadal |
| SB 408-Emery | SB 431-Cunningham |
| SB 409-Keaveny | SB 432-Cunningham |
| SB 410-Kehoe | SB 433-Lamping, et al |
| SB 411-Kehoe | SB 434-Lamping, et al |
| SB 412-Kehoe | SB 435-McKenna |
| SB 413-Wasson | SB 436-McKenna |
| SB 414-Dixon | SB 437-Pearce |
| SB 415-Dixon | SB 438-Munzlinger |

| | |
|----------------------------|--------------------------|
| SB 439-Munzlinger | SB 466-Schaefer |
| SB 440-Munzlinger | SB 467-Schaefer |
| SB 441-Dempsey | SB 468-Schaefer |
| SB 442-Silvey | SB 469-Chappelle-Nadal |
| SB 443-Silvey | SB 470-Rupp |
| SB 444-Schaaf | SB 471-Rupp |
| SB 445-Wasson | SB 472-Rupp |
| SB 446-Brown | SB 473-Lamping and Lager |
| SB 447-Brown | SB 474-Lamping |
| SB 448-Schmitt and Keaveny | SB 475-Lamping |
| SB 449-Romine | SB 476-Lamping |
| SB 450-Justus | SB 477-Lamping |
| SB 451-Justus | SB 478-Lamping |
| SB 452-Justus | SB 479-Dixon |
| SB 453-Cunningham | SB 480-Richard |
| SB 454-Nieves | SB 481-Rupp |
| SB 455-Nieves | SB 482-Nasheed |
| SB 456-Parson | SB 483-Nasheed |
| SB 457-Parson | SB 484-Cunningham |
| SB 458-Kehoe | SJR 17-Nieves |
| SB 459-Kehoe | SJR 18-Schmitt |
| SB 460-Kehoe | SJR 19-Lager |
| SB 461-Wallingford | SJR 20-Curls |
| SB 462-Schaefer | SJR 21-LeVota |
| SB 463-Schaefer | SJR 22-Parson, et al |
| SB 464-Schaefer | SJR 23-Cunningham |
| SB 465-Schaefer | SJR 24-Emery |

HOUSE BILLS ON SECOND READING

| | |
|-------------------------|-------------------|
| HCS for HJR 11 & 7 | HJR 4-Neth, et al |
| HJR 8-Solon, et al | HCS for HB 473 |
| HJR 16-McCaherty, et al | HCS for HB 117 |

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|-------------------------------------|
| 1. SB 292-Rupp | 7. SB 216-Silvey and Justus |
| 2. SB 207-Kehoe, et al, with SCS | 8. SB 137-Sater |
| 3. SB 237-Emery | 9. SJR 14-Schaefer, et al, with SCS |
| 4. SB 294-Schmitt | 10. SB 72-Schaefer |
| 5. SB 241-Lager, with SCS | 11. SB 65-Dixon, with SCS |
| 6. SB 125-Nasheed, with SCS | 12. SB 116-Kraus, with SCS |

13. SB 61-Keaveny, with SCA 1
14. SB 35-Wallingford
15. SB 178-Schaaf, with SCS
16. SB 186-Brown, with SCS

17. SB 230-Brown, et al
18. SB 252-Kraus
19. SB 222-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SB 29-Brown, with SCS & SA 3 (pending)
SB 48-Lamping
SJR 16-Kehoe and McKenna, with SCS

CONSENT CALENDAR

Senate Bills

Reported 3/7

SB 147-Wasson, with SCS
SB 224-Curls, et al, with SCS
SB 211-Rupp

SB 242-Kehoe
SB 142-Sifton
SB 191-Lamping, with SCS

RESOLUTIONS

Reported from Committee

SCR 5-Lamping, with SCS

To be Referred

HCR 5-Phillips

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