

# Journal of the Senate

FIRST REGULAR SESSION

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**FORTY-SECOND DAY—TUESDAY, APRIL 2, 2013**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Is not the Lord among us?” (Micah 3:11b)

Gracious God, we seek Your presence among us and ask that we might hear Your word and live our lives in harmony with You; so we will live today as You desire and be the better for it. Help us to hear each other clearly and make effective decisions that makes today better than yesterday. And Lord we pray for Your Spirit to move among Your people to express the courage that comes from a vibrant faith. 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, March 28, 2013 was read and approved.

Photographers from KOMU-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	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—33

Absent—Senators—None

Absent with leave—Senator Dixon—1

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator Rupp offered Senate Resolution No. 586, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. George Guelbert, St. Louis, which was adopted.

Senator Parson offered Senate Resolution No. 587, regarding Kelly “Travis” Inman, Sedalia, which was adopted.

Senator Schmitt offered Senate Resolution No. 588, regarding Mary Catherine “Kay” Sullivan, Glendale, which was adopted.

Senator Richard offered Senate Resolution No. 589, regarding the Missouri Alliance of Boys & Girls Clubs, which was adopted.

Senator Richard offered Senate Resolution No. 590, regarding Richard Meyers, Ph.D., which was adopted.

Senator Dempsey offered Senate Resolution No. 591, regarding Dr. Daniel G. Dozier, which was adopted.

Senator Silvey offered Senate Resolution No. 592, regarding Christopher Allen Kandlbinder, which was adopted.

Senator Silvey offered Senate Resolution No. 593, regarding Joseph Daniel Bodenheimer, Kansas City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 594, regarding Skyler Evan Thomas, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 595, regarding Kevin Joseph Noyes, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 596, regarding John “Jack” Dwiggin, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 597, regarding Jacob R. Beauchamp, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 598, regarding Grant Douglas, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 599, regarding Beth Kenney, R.N., Canton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 600, regarding the 2012-2013 Class 2 state champion Salisbury High School Boys Basketball Panthers, which was adopted.

### **HOUSE BILLS ON SECOND READING**

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

**HCS for HB 1**—Appropriations.

**HCS for HB 2**—Appropriations.

**HCS for HB 3**—Appropriations.

**HCS for HB 4**—Appropriations.

**HCS for HB 5**—Appropriations.

HCS for **HB 6**—Appropriations.

HCS for **HB 7**—Appropriations.

HCS for **HB 8**—Appropriations.

HCS for **HB 9**—Appropriations.

HCS for **HB 10**—Appropriations.

HCS for **HB 11**—Appropriations.

HCS for **HB 12**—Appropriations.

HCS for **HB 13**—Appropriations.

**SENATE BILLS FOR PERFECTION**

Senator LeVota moved that **SB 258**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

**SCS** for **SB 258**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 258**

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

Was taken up.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator LeVota moved that **SCS** for **SB 258** be adopted, which motion prevailed.

On motion of Senator LeVota, **SCS** for **SB 258** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 242** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 242** was declared perfected and ordered printed.

**THIRD READING OF SENATE BILLS**

**SB 350**, introduced by Senator Dempsey, entitled:

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

Was taken up.

On motion of Senator Dempsey, **SB 350** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lager	Libla
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaefer	Schmitt	Silvey	Wallingford	Wasson—21			

## NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Lamping	LeVota	McKenna
Nasheed	Schaaf	Sifton	Walsh—12				

Absent—Senators—None

Absent with leave—Senator Dixon—1

Vacancies—None

The President declared the bill passed.

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

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

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

### SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 83**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 83**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 83

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof seventeen new sections relating to procedures for collecting local government funds.

Was taken up.

Senator Parson moved that **SCS** for **SB 83** be adopted.

Senator Parson offered **SS** for **SCS** for **SB 83**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 83

An Act to repeal sections 52.250, 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for collecting local government funds.

Senator Parson moved that **SS** for **SCS** for **SB 83** be adopted.

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

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 1, Section 52.250, Line 9, by striking the word “third class” and inserting in lieu thereof the following: “**all**”; and

Further amend said bill and section, page 2, line 2 by inserting immediately before the word “Notwithstanding” the following: “[”]; and further amend lines 5-6 by striking all the underlined language;

and further amend line 17, by inserting immediately after the number “139.031.” the following: “J”.

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

Senator Parson moved that **SS** for **SCS** for **SB 83**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SCS** for **SB 83**, as amended, was declared perfected and ordered printed.

### **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 **HB 53**, entitled:

An Act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to insurance coverage.

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 58**, entitled:

An Act to repeal section 379.1510, RSMo, and to enact in lieu thereof one new section relating to portable electronics insurance, 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 **HB 60**, entitled:

An Act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to the removal of weeds and trash in certain cities.

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 79**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri International Business Advertising Fund.

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 81**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the Missouri international agriculture exchange website.

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 **HB 116**, entitled:

An Act to repeal sections 50.055 and 50.057, RSMo, and to enact in lieu thereof two new sections relating to county government accounts audits.

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 199**, entitled:

An Act to repeal sections 115.003, 115.005, 115.007, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, and 115.493, RSMo, and to enact in lieu thereof eighteen new sections relating to elections.

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 235**, entitled:

An Act to repeal sections 52.010, 54.040, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to county candidate qualifications.

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 **HB 278**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to federal holidays.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

**REPORTS OF STANDING COMMITTEES**

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred SCS for **SB 258** and **SB 242**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**MESSAGES FROM THE GOVERNOR**

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

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 29, 2013

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bills Nos. 10 & 25 entitled:

AN ACT

To amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

On March 29, 2013, I approved said Senate Committee Substitute for Senate Bills Nos. 10 & 25.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

Also,

GOVERNOR OF MISSOURI  
JEFFERSON CITY  
65102  
March 29, 2013

TO THE SECRETARY OF THE SENATE  
97<sup>TH</sup> GENERAL ASSEMBLY  
FIRST REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 & 19 entitled:

AN ACT

To repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof eight new sections relating to certain benevolent tax credits, with an emergency clause.

On March 29, 2013, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 & 19.

Respectfully submitted,  
Jeremiah W. (Jay) Nixon  
Governor

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

## SENATE CALENDAR

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 FORTY-THIRD DAY—WEDNESDAY, APRIL 3, 2013
 

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## FORMAL CALENDAR

## HOUSE BILLS ON SECOND READING

HCS for HBs 191 & 182	HCS for HB 586
HCS for HB 222	HB 591-Hubbard, et al
HCS for HB 128	HB 68-Kelley (127), et al
HB 133-Gosen, et al	HB 142-Dugger
HB 212-Cox, et al	HCS for HB 159
HB 329-Dugger and Crawford	HB 346-Molendorp
HB 163-Fitzpatrick and Dugger	HB 112-Burlison, et al
HCS for HB 349	HB 53-Gatschenberger
HB 184-Cox, et al	HCS for HB 58
HB 196-Lauer, et al	HB 60-Engler
HB 301-Engler	HCS for HB 79
HB 307-Riddle, et al	HCS for HB 81
HCS for HB 312	HB 116-Dugger
HCS for HB 401	HCS for HB 199
HB 412-Reiboldt, et al	HCS for HB 235
HB 432-Funderburk, et al	HB 278-Brattin, et al
HB 542-Love, et al	

## THIRD READING OF SENATE BILLS

SCS for SJR 14-Schaefer, et al (In Fiscal Oversight)	SCS for SB 258-LeVota SB 242-Kehoe
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## SENATE BILLS FOR PERFECTION

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|---------------------------------|----------------------------|
| 1. SB 112-Rupp and Richard      | 6. SB 142-Sifton           |
| 2. SB 265-Nieves and Cunningham | 7. SB 126-Sater, with SCS  |
| 3. SB 2-Rupp, with SCS          | 8. SB 261-Rupp             |
| 4. SB 82-Schaefer, with SCS     | 9. SB 229-Brown, with SCS  |
| 5. SB 254-Pearce, with SCS      | 10. SB 87-Schaaf, with SCS |



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|-------------------------------------|--------------------------------------|
| 11. SB 159-Schmitt, et al, with SCS | 25. SB 303-Wasson                    |
| 12. SB 364-Parson                   | 26. SB 304-Wasson                    |
| 13. SB 275-Walsh                    | 27. SB 170-Chappelle-Nadal           |
| 14. SB 297-Lager, with SCS          | 28. SB 118-Kraus, with SCS           |
| 15. SB 357-Romine                   | 29. SB 251-Kraus and Chappelle-Nadal |
| 16. SB 381-Kraus, with SCS          | 30. SB 327-Dixon                     |
| 17. SB 67-Dixon                     | 31. SB 245-Justus                    |
| 18. SB 99-Keaveny                   | 32. SB 291-Rupp                      |
| 19. SB 239-Emery, with SCS          | 33. SB 231-Munzlinger                |
| 20. SB 272-Nieves                   | 34. SB 226-Schaefer, with SCS        |
| 21. SB 267-Nieves                   | 35. SB 282-Wasson                    |
| 22. SB 342-Parson, et al            | 36. SB 366-Lamping, et al            |
| 23. SB 373-Munzlinger, with SCS     | 37. SB 205-Sater                     |
| 24. SB 57-Romine                    | 38. SB 256-Silvey, with SCS          |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS  
(Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- |                                     |                               |
|-------------------------------------|-------------------------------|
| SB 3-Rupp, with SA 1 (pending)      | SB 65-Dixon, with SCS         |
| SB 13-Schaefer, with SCS            | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon                         | SB 252-Kraus                  |
| SB 22-Dixon                         | SB 257-Silvey and Justus      |
| SB 48-Lamping                       | SB 292-Rupp                   |
| SB 61-Keaveny, with SCA 1 (pending) |                               |

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