Journal of the Senate

FIRST REGULAR SESSION

FIFTIETH DAY—TUESDAY, APRIL 16, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Comfort, O comfort my people, says your God." (Isaiah 40:1)

Lord, we continue to pray for the people of Boston, the one hundred forty hurt and three dead. We pray for healing and comfort for the victims and their families; may Your mercy and grace be with them. We give thanks for the first responders, the police and military personnel who were there to give aid and protection. We pray for the investigators in their efforts to find the person or persons who perpetrated this act of terror. We pray for understanding and learning from this tragedy and pray for justice to prevail. All this and whatever else You see we need please provide. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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 Parson offered Senate Resolution No. 730, regarding Bolivar High School, which was adopted.

Senator Parson offered Senate Resolution No. 731, regarding the Sixtieth Anniversary of the Boonslick Regional Library, which was adopted.

Senator Parson offered Senate Resolution No. 732, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Tyre, Lebanon, which was adopted.

Senator Dempsey offered Senate Resolution No. 733, regarding Peggy Manternach, Saint Charles, which was adopted.

Senator Schaefer offered Senate Resolution No. 734, regarding the Patriot Guard Riders of Central Missouri, 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 SCS for SB 381; SS for SCS for SB 373; SCS for SB 297; SS for SB 252; SS for SB 251; SS for SCS for SB 159; and SB 112, begs leave to report that it has considered the same and recommends that the bills do pass.

SENATE BILLS FOR PERFECTION

At the request of Senator Lamping, SB 366 was placed on the Informal Calendar.

Senator Sater moved that **SB 205** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 205, Page 1, Section A, Line 2, by inserting after all of said line the following:

"211.036. If a [child] **youth** under the age of [eighteen] **twenty-one** is released from the custody of the **children's** division [of family services] and after such release it appears that it would be in such [child's] **youth's** best interest to have his **or her** custody returned to the **children's** division [of family services], the juvenile officer, the **children's** division [of family services] or the [child] **youth** may petition the court to return custody of such [child] **youth** to the division until the child is [eighteen] **twenty-one** years of age."; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Emery offered SA 1 to SA 1, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 205, Page 1, Line 3, by striking the word "a" and

inserting lieu thereof the following "an"; and further amend said line, by striking the word "youth" and inserting in lieu thereof the following: "individual" and further amend line 6 by striking the word "youth's" and inserting in lieu thereof the following: "individual's" and further amend line 9 by striking the word "youth" and inserting in lieu thereof the following: "individual" and further amend line 10 by striking the word "youth" and inserting in lieu thereof the following: "individual"; and further amend line 11 by striking the word "child" and inserting in lieu thereof the word "individual".

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

Senator Justus moved that **SA 1**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, SB 205, as amended, was declared perfected and ordered printed.

Senator Silvey moved that SB 256, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 256, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 256

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.

Was taken up.

Senator Silvey moved that SCS for SB 256 be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section 210.950, Line 8, by striking "135.608" and inserting in lieu thereof the following: "135.600".

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

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, In the Title, Line 3, by striking the following: "the safe place for newborns act" and inserting in lieu thereof the following: "child abuse and neglect"; and

Further amend said bill, page 9, section 211.447, line 176, by inserting after all of said line the following:

- "595.220. 1. The department of public safety shall make payments to appropriate medical providers, out of appropriations made for that purpose, to cover the reasonable charges of the forensic examination of persons who may be a victim of a sexual offense if:
 - (1) The victim or the victim's guardian consents in writing to the examination; and
- (2) The report of the examination is made on a form approved by the attorney general with the advice of the department of public safety. The department shall establish maximum reimbursement rates for charges submitted under this section, which shall reflect the reasonable cost of providing the forensic exam.

- 2. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination. The appropriate medical provider making the examination shall give written notice to the parent or guardian of a minor that such an examination has taken place.
- 3. The attorney general, with the advice of the department of public safety, shall develop the forms and procedures for gathering evidence during the forensic examination under the provisions of this section. The department of health and senior services shall develop a checklist, protocols, and procedures for appropriate medical providers to refer to while providing medical treatment to victims of a sexual offense, including those specific to victims who are minors.
- 4. Evidentiary collection kits shall be developed and made available, subject to appropriation, to appropriate medical providers by the highway patrol or its designees and eligible crime laboratories. Such kits shall be distributed with the forms and procedures for gathering evidence during forensic examinations of victims of a sexual offense to appropriate medical providers upon request of the provider, in the amount requested, and at no charge to the medical provider. All appropriate medical providers shall, with the written consent of the victim, perform a forensic examination using the evidentiary collection kit, or other collection procedures developed for victims who are minors, and forms and procedures for gathering evidence following the checklist for any person presenting as a victim of a sexual offense.
- 5. In reviewing claims submitted under this section, the department shall first determine if the claim was submitted within ninety days of the examination. If the claim is submitted within ninety days, the department shall, at a minimum, use the following criteria in reviewing the claim: examination charges submitted shall be itemized and fall within the definition of forensic examination as defined in subdivision (3) of subsection [7] 8 of this section.
- 6. All appropriate medical provider charges for eligible forensic examinations shall be billed to and paid by the department of public safety. No appropriate medical provider conducting forensic examinations and providing medical treatment to victims of sexual offenses shall charge the victim for the forensic examination. For appropriate medical provider charges related to the medical treatment of victims of sexual offenses, if the victim is an eligible claimant under the crime victims' compensation fund, the victim shall seek compensation under sections 595.010 to 595.075.
- 7. The department of public safety shall establish rules regarding the reimbursement of the costs of forensic examinations for children under fourteen years of age, including establishing conditions and definitions for emergency and non-emergency forensic examinations and may by rule establish additional qualifications for appropriate medical providers performing non-emergency forensic examinations for children under fourteen years of age.
 - **8.** For purposes of this section, the following terms mean:
 - (1) "Appropriate medical provider",
- (a) Any licensed nurse, physician, or physician assistant, and any institution employing licensed nurses, physicians, or physician assistants, provided that such licensed professionals are the only persons at such institution to perform tasks under the provisions of this section; or
- (b) For the purposes of any non-emergency forensic examination of a child under fourteen years of age, the department of public safety may establish additional qualifications for any provider listed in paragraph (a) of this subdivision by the rules authorized under subsection 7 of this section;

- (2) "Evidentiary collection kit", a kit used during a forensic examination that includes materials necessary for appropriate medical providers to gather evidence in accordance with the forms and procedures developed by the attorney general for forensic examinations;
- (3) "Forensic examination", an examination performed by an appropriate medical provider on a victim of an alleged sexual offense to gather evidence for the evidentiary collection kit or using other collection procedures developed for victims who are minors;
- (4) "Medical treatment", the treatment of all injuries and health concerns resulting directly from a patient's sexual assault or victimization;
- (5) "Emergency forensic examination", an examination of a person under fourteen years of age that occurs within five days of the alleged sexual offense. The department of public safety may further define the term "emergency forensic examination" by rule;
- (6) "Non-emergency forensic examination", an examination of a person under fourteen years of age that occurs more than five days after the alleged sexual offense. The department of public safety may further define the term "non-emergency forensic examination" by rule.
- [8.] **9.** The department shall have authority to promulgate rules and regulations necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

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

Senator Romine offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 256, Page 9, Section 211.447, Line 176, by inserting after all of said line the following:

- "Section 1. 1. A school district or charter school may provide annually to high school students enrolled in health education at least thirty minutes of age and grade appropriate classroom instruction relative to the safe place for newborns act of 2002 under section 210.950, which provides a mechanism whereby any parent may relinquish the care of an infant to the state in safety and anonymity and without fear of prosecution under certain specified conditions.
- 2. A school district or charter school that elects to offer such information pursuant to this section shall include the following:
- (1) An explanation that relinquishment of an infant means to give over possession or control of the infant to other specified persons as provided by law with the settled intent to forego all parental responsibilities;
 - (2) The process to be followed by a parent in making a relinquishment;

- (3) The general locations where an infant may be left in the care of certain people;
- (4) The available options if a parent is unable to travel to a designated emergency care facility; and
- (5) The process by which a relinquishing parent may reclaim parental rights to the infant and the time lines for taking this action."; and

Further amend the title and enacting clause accordingly.

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

Senator Chappelle-Nadal offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 256, Section A, Line 3, by inserting after all of said section and line the following:

- "210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.
- 2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section.
- 3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the

board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

- 4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:
- (1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;
- (2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; **preventive services designed to prevent substance abuse and emotional abuse;** and prevention programs which promote healthy lifestyles among children and youth and strengthen families;
- (3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings
- (4) Programs intended to improve children's and families' well-being by including juvenile delinquency prevention services to support families and enhance the positive development of youth, including up to one month of start-up fees for such programs.
- 5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting immediately after said line the following:

- "167.638. 1. The department of health and senior services shall develop an informational brochure relating to meningococcal disease, and that an immunization against meningococcal disease is available. The department shall make the brochure available on its website and shall notify each school district and charter school in this state of the availability of the brochure. Each school district and charter school shall provide a copy of the brochure to parents. Such information in the brochure shall include:
- (1) The risk factors for developing meningococcal disease, the symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;
 - (2) How meningococcal disease is transmitted;
- (3) The latest scientific information on the immunization against meningococcal disease and the immunization's effectiveness;
- (4) A statement that any questions or concerns regarding immunizing the child against meningococcal disease could be answered by contacting the family's health care provider.
- 2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to

all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

- 174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student's parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a doctor licensed under chapter 334, indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.
- 2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.
- 3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section]. The department of health and senior services shall oversee, supervise, and secure the enforcement of this section. The department of health and senior services may promulgate rules and regulations governing the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.
- [4.] 3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease."; and

Further amend the title and enacting clause accordingly.

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

Senator McKenna offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting after all of said line the following:

"160.2110. 1. The task force on the prevention of sexual abuse of children established in section

160.2100 may adopt and implement a policy addressing sexual abuse of children that may include:

- (1) Age-appropriate curriculum for students in pre-K through fifth grade;
- (2) Training for school personnel on child sexual abuse;
- (3) Educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information;
 - (4) Available counseling and resources for students affected by sexual abuse; and
 - (5) Emotional and educational support for a child of abuse to continue to be successful in school.
 - 2. Any policy adopted may address without limitation:
- (1) Methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse:
- (2) Actions that a child who is a victim of sexual abuse could take to obtain assistance and intervention; and
 - (3) Available counseling options for students affected by sexual abuse.
- 3. Once the task force has adopted the policy as described under subsection 1 of this section, the department of elementary and secondary education shall implement the provisions of said policy including the promulgation of rules to accomplish such implementation." and

Further amend the title and enacting clause accordingly.

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

Senator Schaaf offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 256, Page 2, Section 210.950, Line 36, by striking the words: "a parent voluntarily relinquishing a child under this section"; and further amend lines 37-41 by striking all of said lines and further amend line 42 by striking the word "addition,".

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

Senator Silvey moved that SCS for SB 256, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, SCS for SB 256, 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 218**, entitled:

An Act to repeal sections 195.246 and 195.417, RSMo, and to enact in lieu thereof four new sections relating to controlled substances, 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 passed **HCS** for **HB 197**, entitled:

An Act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof six new sections relating to sales tax and revenue bonds.

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 526**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rural regional development grants.

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 **HBs 404** and **614**, entitled:

An Act to repeal sections 287.067 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

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 343**, entitled:

An Act to repeal sections 208.010, 208.022, 208.027, 208.042, 208.048, 208.152, and 208.182, RSMo, and to enact in lieu thereof twelve new sections relating to public assistance, 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 passed **HCS** for **HB 194**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for job creation for new home purchasers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Photographers from ABC 17 News were given permission to take pictures in the Senate Chamber.

REPORT 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 **SS** for **SB 282** and **SCS** for **SB 226**, 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.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

THIRD READING OF SENATE BILLS

SB 112, introduced by Senators Rupp and Richard, entitled:

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof one new section relating to the new markets tax credit, with an emergency clause.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SB 112** was read the 3rd time and passed by the following vote:

YEAS—Senat	tors						
Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Rupp	Sater	Schmitt	Sifton	Silvey	Walsh	Wasson—23	
NAYS—Sena	tors						
Brown	Emery	Kraus	Lager	Lamping	LeVota	Libla	Nieves
Schaaf	Schaefer	Wallingford—11					
Absent—Sena	ntors—None						
Absent with leave—Senators—None							
Vacancies—N	Ione						

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Sena	tors						
Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Rupp	Sater	Schmitt	Sifton	Silvey	Walsh	Wasson—23	
NAYS—Sena	tors						
Brown	Emery	Kraus	Lager	Lamping	LeVota	Libla	Nieves

Schaaf Schaefer Wallingford—11

Absent—Senators—None

Absent with leave—Senators—None

Vacancies-None

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

Senator Rupp 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 159, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 159

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

Was taken up.

On motion of Senator Schmitt, SS for SCS for SB 159 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 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.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

SCS for SB 297, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 297

An Act to repeal sections 249.645, 393.320, 393.760, 393.1000, and 393.1003, RSMo, and to enact in lieu thereof seven new sections relating to ratemaking for water utilities.

Was taken up by Senator Lager.

Senator Lager moved that **SCS** for **SB 297** be read the 3rd time and finally passed, which motion failed to receive a constitutional majority by the following vote:

YEAS—S	enators							
Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe	Kraus	Lager	
McKenna	Munzlinger	Richard	Rupp	Sater	Schaefer	Walsh	Wasson—16	
NAYS—S	Senators							
Brown	Curls	Holsman	Justus	Lamping	LeVota	Libla	Nasheed	
Nieves	Parson	Pearce	Romine	Schaaf	Schmitt	Sifton	Silvey	
Wallingford—1	17							
Absent—S	Senator Chappelle-Na	adal—1						
Absent wi	Absent with leave—Senators—None							
Vacancies	Vacancies—None							

SCS for SB 381, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 381

An Act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 381** 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—S	NAYS—Senator Emery—1							

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.

SS for SB 252, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 252

An Act to repeal sections 50.535, 301.3031, 302.181, 302.183, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, and 571.121, and to enact in lieu thereof sixteen new sections relating to licenses issued by the department of revenue, with an emergency clause for certain sections.

Was taken up.

On motion of Senator Kraus, SS for SB 252 was read the 3rd time and passed by the following vote:

YEAS-	-Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Curls Justus Keaveny Nasheed Sifton—5

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	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Curls Justus Keaveny LeVota Nasheed Sifton—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

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.

SS for SCS for SB 373, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 373

An Act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 373** was read the 3rd time and passed by the following vote:

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						
NAYS-	-Senators						
Kraus	Lager	Lamping	LeVota	McKenna	Nieves	Rupp	Schaaf—8

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.

SB 327, introduced by Senator Dixon, entitled:

An Act to repeal sections 544.455 and 557.011, RSMo, and to enact in lieu thereof two new sections relating to the cost of electronic monitoring, with existing penalty provisions.

Was taken up.

On motion of Senator Dixon, SB 327 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 Dixon, title to the bill was agreed to.

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

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

SB 304, introduced by Senator Wasson, entitled:

An Act to repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

Was taken up.

On motion of Senator Wasson, SB 304 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	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Nasheed—1

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.

SB 303, introduced by Senator Wasson, entitled:

An Act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to pharmacy permits.

Was taken up.

On motion of Senator Wasson, **SB 303** 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.

SS for SB 251, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 251

An Act to repeal sections 578.375, 578.377, 578.379, 578.381, 578.383, 578.389, and 578.390, RSMo, and to enact in lieu thereof nine new sections relating to public assistance fraud and abuse, with penalty provisions.

Was taken up.

On motion of Senator Kraus, SS for SB 251 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	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nasheed—1

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.

SS for SB 245, introduced by Senator Justus, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 245

An Act to repeal section 514.040, RSMo, and to enact in lieu thereof one new section relating to waiver of court costs and expenses in civil cases.

Was taken up.

On motion of Senator Justus, SS for SB 245 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
Wolch	Wasson 34						

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 170, introduced by Senator Chappelle-Nadal, entitled:

An Act to repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to

participation by members of public governmental bodies in roll call votes.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 170** 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 118, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 118

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

Was taken up by Senator Kraus.

On motion of Senator Kraus, SCS for SB 118 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
Wolsh	Wassen 24						

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 67, introduced by Senator Dixon, entitled:

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.770, and 544.157, RSMo, and to enact in lieu thereof seventeen new sections relating to higher education.

Was taken up.

On motion of Senator Dixon, **SB 67** was read the 3rd time and passed by the following vote:

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 Dixon, title to the bill was agreed to.

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

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

SB 57, introduced by Senator Romine, entitled:

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

Was taken up.

On motion of Senator Romine, **SB 57** was read the 3rd time and passed by the following vote:

YEA	S—	Sen	ators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

Richard McKenna Munzlinger Nasheed Nieves Parson Pearce Romine Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh Sater

Wasson—33

NAYS-Senators-None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies-None

The President declared the bill passed.

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

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

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

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 256** and **SB 205**, 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.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 19**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 13**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 256** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 35** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 735, regarding Shirley Jefferis Essary, Fair Grove, which was adopted.

Senator Kehoe offered Senate Resolution No. 736, regarding Warren P. Brandt, Holts Summit, which was adopted.

Senator LeVota offered Senate Resolution No. 737, regarding Dr. Jim Hinson, which was adopted.

Senator Nasheed offered Senate Resolution No. 738, regarding Epsilon Lambda Chapter of Alpha Phi Alpha Fraternity, Incorporated, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Christopher Kendrick, Michael James, Michael D. Pope, Kurt Himmelmann and students: Ethan Harper, Jack Schoephoerster, Charlie Ebbesmeyer, Lilly Tarakai, Annaliese Moore and Rachael Bishop, representatives of Fayette High School Student Government.

Senator Richard introduced to the Senate, Dr. Phillip Cook, Superintendent, Carl Junction School District and his daughter, Kylee; and Kylee was made an honorary page.

Senator LeVota introduced to the Senate, the Physician of the Day, Dr. Bridget McCandless, Independence.

Senator Lamping introduced to the Senate, Denise Kuse and fourth grade students from Drummond Elementary School, St. Louis.

Senator Pearce introduced to the Senate, Hanah Janik, Concordia.

Senator Richard introduced to the Senate, coaches Jeremy Phillips and Josh Sonis, Andy Pille and members of the Class 3 State Champion Neosho High School wrestling team: Kyler Rea, John Williams, River Buttram, Dakota McGarrah, Nate Rodriquez, Jason Box, Kyle Hostetter, Sam Williams, Chance Branstetter, Jacob Brock, Ben Elledge, Christian Lopez, and Aaron Clardy.

Senator Sater introduced to the Senate, Larry Moennig, Randy Henderson and Landon Fletcher, Monett.

Senator Schmitt introduced to the Senate, Kim Drury, Lynn Lopez, parents and fourth grade students from St. Peters School, Kirkwood; and Sara Werner, Joe Kammer, Lily Bayer, Jackson Fortner, Ella and Grace Kertz, and Teddy Sudekum were made honorary pages.

Senator Munzlinger introduced to the Senate, Dennis Miller and ten students, Home Schoolers from Kirksville.

Senator Pearce introduced to the Senate, Rita Hildebrand and third and fourth grade students from New York Elementary, Hamilton.

Senator Holsman introduced to the Senate, Mayor Steve Dennis, Grandview; and Brandon Boulware and Jeremy Suhr, Kansas City.

Senator Curls introduced to the Senate, Dr. John Gianino, Dr. Michael O'Dell, Dr. Mark Steele, Truman Medical Center, Kansas City.

Senator Pearce introduced to the Senate, Dan and Debbie Janik, Concordia.

Senator Justus introduced to the Senate, fifth and sixth grade students from St. Ignatius, Marthasville.

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

SENATE CALENDAR

FIFTY-FIRST DAY-WEDNESDAY, APRIL 17, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 787	HCS for HB 257
HB 533-Riddle, et al	HB 326-Fitzwater
HCS for HB 345	HCS for HB 418
HCS for HB 28	HCS for HB 850
HCS for HB 30	HCS for HBs 374 & 434
HB 47-Cross	HCS for HBs 373 & 435
HCS for HB 137	HB 322-Gosen, et al
HB 217-Cox, et al	HCS for HB 722
HCS for HB 215	HB 218-Cox, et al
HB 103-Kelley (127), et al	HCS for HB 197
HCS for HB 114	HB 526-Franklin, et al
HCS for HB 621	HCS for HBs 404 & 614
HCS for HB 505	HCS for HB 343
HB 148-Davis, et al	HCS for HB 194

THIRD READING OF SENATE BILLS

SS for SB 282-Wasson	SCS for SB 256-Silvey (In Fiscal Oversight)
SCS for SB 226-Schaefer	SB 205-Sater

SENATE BILLS FOR PERFECTION

1. SB 432-Cunningham, with SCS	8. SB 210-Lamping and Nieves, with SCS
2. SBs 317 & 319-Romine, with SCS	9. SB 455-Nieves, with SCS
3. SB 401-Rupp	10. SB 167-Sater and Wallingford, with SCS
4. SB 396-Holsman and Chappelle-Nadal,	11. SB 343-Parson
with SCS	12. SB 250-Schaaf, with SCS
5. SB 378-Pearce, with SCS	13. SB 175-Wallingford
6. SB 410-Kehoe	14. SB 285-Romine
7. SB 133-Keaveny and Holsman, with SCS	15. SB 339-Romine

16. SB 174-Parson, with SCS	20. SB 419-Lager, with SCS
17. SB 441-Dempsey	21. SB 411-Kehoe, with SCS
18. SJR 2-Lager	22. SB 141-Dempsey
19. SB 315-Pearce	23. SB 403-Rupp, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 207-Kehoe, et al, with SCS
SB 13-Schaefer, with SCS	SB 231-Munzlinger, with SA 1 (pending)
SB 21-Dixon	SB 239-Emery, with SCS & SA 2 (pending)
SB 22-Dixon	SB 272-Nieves, with SA 2 (pending)
SB 48-Lamping	SB 291-Rupp
SB 61-Keaveny, with SCA 1 (pending)	SB 292-Rupp
SB 65-Dixon, with SCS	SB 364-Parson
SB 82-Schaefer, with SCS	SB 366-Lamping, et al

HOUSE BILLS ON THIRD READING

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

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz	HCS for HB 159 (Kraus)
HB 212-Cox, et al (Keaveny)	HB 702-Englund, et al, with SCS
HCS for HB 235	HCS for HB 233, with SCS (Lamping)
HB 498-Jones (50), et al, with SCS	

RESOLUTIONS

Reported from Committee

HCR 5-Phillips SCR 13-Brown HCR 19-Rowden, et al

