

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 30, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Pleasant words are like a honeycomb, sweetness to the soul and health to the body.” (Proverbs 16:24)

O Lord of wisdom and graciousness, give to us good words today so our words will bring healing, correction and lifting one another up. Take away from us words that are deceptive, degrading, insulting or hurtful. Help us to always have on hand an abundance of “thank you, excuse me, and forgive me,” as we go through each day working with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

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

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

REMONSTRANCES

Senators Emery, Wallingford, Wasson, Lager, Brown, Kraus, Sater, Romine, Schaaf, Cunningham, Libla and Munzlinger offered the following remonstrance:

SENATE REMONSTRANCE NO. 1

WHEREAS, the people of the State of Missouri cherish their right to bear arms, as protected by the Missouri Constitution and the Constitution of the United States, and the people of the State of Missouri cherish their right to privacy and protection of their personal private information; and

WHEREAS, Section 571.101, RSMo, declares that a concealed carry endorsement shall not be public information and shall be personal protected information, and further declares that any person who discloses such protected information is guilty of a crime; and

WHEREAS, it is the duty of the Governor of the State of Missouri to enforce the laws of the State of Missouri, and the Governor has the duty to require all departments of the executive to enforce the laws of the State of Missouri; and

WHEREAS, officials in the Department of Revenue and the Department of Public Safety have publicly admitted, through testimony before the Senate Appropriations Committee and documents provided to the Senate by subpoena, that personal protected information has been disclosed by the department in violation of the laws of the State of Missouri; and

WHEREAS, no provision of law authorized the release of such personal protected information:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate of the Ninety-seventh General Assembly, First Regular Session, hereby:

(1) Remonstrate against the Governor for the release by the Department of Revenue and the Department of Public Safety of personal protected information which has been publicly admitted by the departments;

(2) Strongly condemn the release of the protected personal information in violation of the laws of the State of Missouri; and

BE IT FURTHER RESOLVED that the Missouri Senate demands that the Governor enforce the laws of this state by immediately investigating, disciplining, and removing any members of the executive departments who are responsible for this egregious breach of public trust and violation of the laws of the state of Missouri and that the Governor comply with any and all subpoenas regarding such release of protected personal information; and

BE IT FURTHER RESOLVED that the Missouri Senate deems any failure of the Governor to investigate, discipline, and remove any members of the executive departments who are responsible for the release of the personal protected information or to comply with such subpoenas to be a willful neglect of duty; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this remonstrance for the Governor, the Department of Revenue, and the Department of Public Safety.

President Pro Tem Dempsey referred the above remonstrance to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator LeVota offered Senate Resolution No. 840, regarding Jenn Minnis, which was adopted.

Senator McKenna offered Senate Resolution No. 841, regarding Dr. Randy Sheriff, which was adopted.

Senator Curls offered Senate Resolution No. 842, regarding the Mothers of Incarcerated Sons and Daughters' Women of Courage 2013, which was adopted.

Senator Munzlinger offered Senate Resolution No. 843, regarding Dustin R. Swarnes, Bowling Green, which was adopted.

Senator Dempsey offered Senate Resolution No. 844, regarding the Class 3 State Champion Lutheran High School Girls Basketball Team, which was adopted.

Senators Holsman and Pearce offered Senate Resolution No. 845, regarding National Nurses Week,

which was adopted.

Senator Justus offered Senate Resolution No. 846, regarding Mary Camille Hosman, Ashland, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS No. 2** for **HB 698**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HB 212, introduced by Representative Cox, et al, entitled:

An Act to repeal sections 400.4A-108, 400.9-102, 400.9-307, 400.9-316, 400.9-317, 400.9-326, 400.9-406, 400.9-408, 400.9-502, 400.9-503, 400.9-515, 400.9-516, 400.9-518, and 400.2A-103, RSMo, and to enact in lieu thereof twenty-three new sections relating to secured transactions.

Was called from the Consent Calendar and taken up by Senator Keaveny.

On motion of Senator Keaveny, **HB 212** 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	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 194**; **HB 316**; **HCS** for **HB 215**, with **SCS**; **HB 274**, with **SCS**; and **HCS** for **HB 168** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 15** to the Committee on Rules, Joint Rules, Resolutions and

Ethics.

HOUSE BILLS ON THIRD READING

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.

Was called from the Consent Calendar and taken up by Senator Parson.

On motion of Senator Parson, **HCS** for **HB 235** 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
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

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.

HB 498, introduced by Representative Jones (50), et al, with **SCS**, entitled:

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

Was called from the Consent Calendar and taken up by Senator Sifton.

SCS for **HB 498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 498

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

Was taken up.

Senator Sifton moved that **SCS** for **HB 498** be adopted, which motion prevailed.

On motion of Senator Sifton, **SCS** for **HB 498** 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
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Schaaf assumed the Chair.

HCS for HB 159, entitled:

An Act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with a penalty provision.

Was called from the Consent Calendar and taken up by Senator Kraus.

On motion of Senator Kraus, **HCS for HB 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
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—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.

Senator Pearce assumed the Chair.

HCS for HB 233, with SCS, entitled:

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, and 476.515, RSMo, and to enact in lieu thereof twenty-five new sections relating to the administration of state employee benefits.

Was called from the Consent Calendar and taken up by Senator Lamping.

SCS for HCS for HB 233, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 233

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, 105.684, and 476.515, RSMo, and to enact in lieu thereof twenty-six new sections relating to the administration of state employee benefits.

Was taken up.

Senator Lamping moved that **SCS for HCS for HB 233** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS for HCS for HB 233** 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
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

HCS No. 2 for **HB 698**, with **SCS**, entitled:

An Act to repeal sections 32.115, 99.1205, 100.850, 135.305, 135.350, 135.352, 135.460, 135.484, 135.535, 135.679, 135.680, 135.700, 135.710, 135.750, 135.967, 143.119, 208.770, 217.905, 253.545, 253.550, 253.557, 253.559, 348.434, 447.708, 620.1039, and 620.1881, RSMo, and to enact in lieu thereof forty-one new sections relating to tax incentives.

Was taken up by Senator Schmitt.

SCS for **HCS No. 2** for **HB 698**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 698

An Act to repeal sections 135.305, 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and section 135.630 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty new sections relating to tax incentives, with an emergency clause for certain sections.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS No. 2** for **HB 698** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 23, Section 253.550, Line 55, by striking “forty-five” and inserting in lieu thereof “**seventy**”; and

Further amend said bill and section, page 24, line 90, by striking “five” and inserting in lieu thereof “**ten**”.

Senator Dempsey moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Lager offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 1, Line 2, by striking the number “seventy” and inserting in lieu thereof the following: “**sixty**”.

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

SA 1, as amended, was again taken up.

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

Senator Schmitt moved that **SCS** for **HCS No. 2** for **HB 698**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS No. 2** for **HB 698**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Dempsey	Dixon	Holsman	Justus	Keaveny	Kehoe
Kraus	LeVota	Libla	McKenna	Munzlinger	Parson	Pearce	Richard
Romine	Rupp	Schaaf	Schmitt	Sifton	Silvey—22		

NAYS—Senators

Brown	Curls	Emery	Lager	Lamping	Nasheed	Nieves	Sater
Schaefer	Wallingford	Walsh—11					

Absent—Senator Wasson—1

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	Justus
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators

Curls	Lamping	Nasheed	Schaefer	Walsh—5
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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.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 163**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Schaaf assumed the Chair.

PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SCS for HCS for HB 1; SCS for HCS for HB 2; SCS for HCS for HB 3; SCS for HCS for HB 4; SCS for HCS for HB 5; SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**, as amended; **SCS for HCS for HB 8; SCS for HCS for HB 9; SCS for HCS for HB 10; SCS for HCS for HB 11**, as amended; **SCS for HCS for HB 12**; and **SCS for HCS for HB 13** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS for HCS for HB 1; SCS for HCS for HB 2; SCS for HCS for HB 3; SCS for HCS for HB 4; SCS for HCS for HB 5; SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**, as amended; **SCS for HCS for HB 8; SCS for HCS for HB 9; SCS for HCS for HB 10; SCS for HCS for HB 11**, as amended; **SCS for HCS for HB 12**; and **SCS for HCS for HB 13** and grant the House a conference thereon, which motion prevailed.

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 Speaker has appointed the following committee to act with a like committee from the Senate on **SS for HCS for HJRs 11 and 7**. Representatives: Smith (120), Reiboldt, and Black.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS for HCS for HB 315** and has taken up and passed **SS for HCS for HB 315**.

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 HJR 26**, 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 in lieu thereof relating to parental rights.

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 653**, entitled:

An Act to repeal sections 99.845, 190.100, 190.300, 190.308, 190.400, 190.410, 190.420, 650.320, 650.325, and 650.330, RSMo, and to enact in lieu thereof twelve new sections relating to emergency

services, with a penalty provision.

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 421**, entitled:

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof two new sections relating to legal tender.

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 986**, entitled:

An Act to repeal sections 208.146 and 208.151, RSMo, and to enact in lieu thereof five new sections relating to MO HealthNet, with an emergency clause for a certain section.

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 675**, entitled:

An Act to amend chapters 161 and 167, RSMo, by adding thereto ten new sections relating to the management of diabetes in elementary and secondary schools.

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 285**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to distribution of a controlled substance near child care facilities, with a penalty provision.

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 859**, entitled:

An Act to repeal sections 43.530, 50.535, 302.181, 571.030, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 590.010, RSMo, and to enact in lieu thereof twenty-six new sections relating to concealed carry permits, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 3**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 4**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 5**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 8**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 9**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 12**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

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

HOUSE BILLS ON THIRD READING

HB 112, introduced by Representative Burlison, et al, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

Was called from the Informal Calendar and taken up by Senator Brown.

President Pro Tem Dempsey assumed the Chair.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 112, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “relating to medical malpractice”; and

Further amend said bill and page, section 1.010, line 13, by inserting immediately after said line the following:

“383.206. 1. Notwithstanding the provisions of sections 383.037 and 383.160, no insurer shall issue or sell in the state of Missouri a policy insuring a health care provider, as defined in section 538.205, for damages for personal injury or death arising out of the rendering of or failure to render health care services [if the director finds, based upon competent and compelling evidence, that the base rates of such insurer are excessive, inadequate, or unfairly discriminatory. A rate may be used by an insurer immediately after it has been filed with the director, until or unless the director has determined under this section that a rate is excessive, inadequate, or unfairly discriminatory], **unless the rates for such policy are approved by the director of insurance, financial institutions and professional registration.**

2. [In making a determination under subsection 1 of this section,] The director of the department of insurance, financial institutions and professional registration [may use] **shall review and approve or reject rates pursuant to subsection 1 of this section based on** the following factors:

(1) Rates shall not be excessive or inadequate, nor shall they be unfairly discriminatory;

(2) No rate shall be held to be excessive unless such rate is unreasonably high for the insurance [proved] **provided** with respect to the classification to which such rate is applicable;

(3) No rate shall be held to be inadequate unless such rate is unreasonably low for the insurance provided with respect to the classification to which such rate is applicable;

(4) [To the extent Missouri loss experience is available,] Rates [and projected losses] shall be based on Missouri loss experience and not the insurance company’s or the insurance industry’s loss experiences in states other than Missouri unless the failure to do so jeopardizes the financial stability of the insurer; provided however, that loss experiences relating to the specific proposed insured occurring outside the state of Missouri may be considered in allowing a surcharge to such insured’s premium rate;

(5) Investment income or investment losses of the insurance company for the ten-year period prior to the request for rate approval may be considered in reviewing rates. Investment income or investment losses for a period of less than ten years shall not be considered in reviewing rates. Industrywide investment income or investment losses for the ten-year period prior to the request for rate approval may be considered for any insurance company that has not been authorized to issue insurance for more than ten years;

- (6) The locale in which the health care practice is occurring;
- (7) Inflation;
- (8) Reasonable administrative costs of the insurer;
- (9) Reasonable costs of defense of claims against Missouri health care providers;

(10) A reasonable rate of return on investment for the owners or shareholders of the insurer when compared to other similar investments at the time of the rate request; except that, such factor shall not be used to offset losses in other states or in activities of the insurer other than the sale of policies of insurance to Missouri health care providers; and

(11) Any other reasonable factors may be considered in the [disapproval] **approval or rejection** of the rate request.

3. [The director's determination under subsection 1 of this section of whether a base rate is excessive, inadequate, or unfairly discriminatory] **Rate approval requests** may be **approved or denied** based on any subcategory or subspecialty of the health care industry that the director determines to be reasonable.

4. [If actuarially supported and included in a filed rate, rating plan, rule, manual, or rating system, an] **The** insurer may charge an additional premium or grant a discount rate to any health care provider based on criteria as it relates to a specified insured health care provider or other specific health care providers within the specific insured's employ or business entity[. Such criteria may include]:

- (1) Loss experiences;
- (2) Training and experience;
- (3) Number of employees of the insured entity;
- (4) Availability of equipment, capital, or hospital privileges;
- (5) Loss prevention measures taken by the insured;
- (6) The number and extent of claims not resulting in losses;
- (7) The specialty or subspecialty of the health care provider;
- (8) Access to equipment and hospital privileges; and

(9) Any other **factors determined to be** reasonable [criteria identified by the insurer and filed with the department of insurance, financial institutions and professional registration] **by the director**.

5. [Supporting actuarial data shall be filed in support of a rate, rating plan, or rating system filing, when requested by the director to determine whether rates should be disapproved as excessive, inadequate, or unfairly discriminatory, whether or not the insurer has begun using the rate.

6.] Any rate application shall be deemed approved if not rejected within sixty days, unless the director extends such period due to the applicant's failure to timely provide requested information.

6. The director of the department of insurance shall annually provide to the governor and the general assembly a report as to the rate increases or decreases of the rates approved pursuant to this section and the number of requests disapproved pursuant to this section.

7. As used in this section, the term "insurer" includes every insurance company authorized to

transact business in this state, every unauthorized insurance company transacting business pursuant to chapter 384, every risk retention group, every insurance company issuing policies or providing benefits to or through a purchasing group, and any other person providing insurance coverage in this state.

8. The director of the department of insurance, financial institutions and professional registration shall promulgate rules for the administration and enforcement 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, 2006, shall be invalid and void.

383.300. As used in sections 383.300 to 383.321, the following terms mean:

(1) **“Director”, the director of the department of insurance;**

(2) **“Fund”, the Missouri health care stabilization fund established pursuant to sections 383.300 to 383.321;**

(3) **“Health care provider”, includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians’ assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical technicians, hospitals, nursing homes, and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;**

(4) **“Insurer”, any insurance company, association, exchange, or legal entity authorized to issue policies of medical malpractice insurance in this state;**

(5) **“Medical malpractice insurance”, insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider.**

383.303. 1. There is hereby created in the state treasury the “Missouri Health Care Stabilization Fund”. Membership fees and premium surcharges collected pursuant to section 383.312 shall be deposited in the fund. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the Missouri health care stabilization fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Moneys in the fund shall be invested and reinvested in the same manner as provided by law for the investment of other state funds in interest-bearing investments. All expenses of collecting, protecting, and administering the fund shall be paid from the fund.

2. The Missouri health care stabilization fund shall be used for the purpose of paying that portion of a medical malpractice claim, settlement, or judgment which is in excess of the limits expressed in section 383.318 or the maximum liability limits for which the health care provider is insured, whichever limit is greater. The fund is liable only for payment of claims against licensed health care providers in compliance with the provisions of sections 383.300 to 383.321 and includes reasonable

and necessary expenses incurred in payment of claims and the fund's administrative expense. The fund shall not be liable for damages for injury or death caused by an intentional crime committed by a health care provider or an employee of a health care provider, whether or not the criminal conduct is the basis for a medical malpractice claim. The fund shall have no obligation for the payment of punitive damages rendered in any judgment. The state shall not be responsible for any costs, expenses, liabilities, judgments, or other obligations of the fund.

3. The maximum amount recoverable under the Missouri health care stabilization fund for any single claim pursuant to sections 383.300 to 383.321 shall not exceed eight hundred thousand dollars pursuant to any one judgment or settlement for any party against a health care provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in one year in an amount of two million four hundred thousand dollars for any health care provider.

383.306. 1. There is hereby created within the department of insurance the "Health Care Stabilization Board", which shall be composed of the director and nine members appointed by the governor with the advice and consent of the senate. The board shall be composed of:

(1) One member who is licensed to practice medicine and surgery in Missouri who is a doctor of medicine and who is on a list of nominees submitted to the director by an organization representing Missouri's medical society;

(2) One member who is a doctor of osteopathy and who is on a list of nominees submitted to the director by an organization representing Missouri doctors of osteopathy;

(3) One member who is a licensed nurse in Missouri and who is on a list submitted to the director by an organization representing Missouri nurses;

(4) One member who is a representative of Missouri hospitals and who is on a list of nominees submitted to the director by an organization representing Missouri hospitals;

(5) Two members who are insurance representatives and who are on a list of nominees submitted to the director by the insurance industry;

(6) Two members who are attorneys that handle medical malpractice and who are on a list of nominees submitted to the director by an organization representing Missouri attorneys;

(7) One member of the general public appointed by the governor who is unaffiliated with the insurance or health care industries or the medical or legal professions; and

(8) The director.

2. The board is created to manage and operate the Missouri health care stabilization fund. The appointed members shall serve for a term of six years. Each member shall serve until a successor is appointed and qualified. The board must meet at the call of the director or a majority of the members but in any event it must meet at least once a year. A majority of the board members shall constitute a quorum for the transaction of any business of the board. The affirmative vote by a majority of the quorum present at a duly called meeting after notice is required to exercise any function of the board.

3. The board may promulgate any regulations necessary to carry out the provisions of sections 383.300 to 383.324. 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. When a vacancy occurs in the membership of the board created by this section, the governor, with the advice and consent of the senate, shall appoint a successor of like qualifications from a list of three nominees submitted to the director by the professional society or association prescribed by this section. Whenever a vacancy occurs in the membership of the board created by this section for any reason other than the expiration of a member's term of office, the governor, with the advice and consent of the senate, shall appoint a successor of like qualifications to fill the unexpired term. In each case of a vacancy occurring in the membership of the board, the director shall notify the professional society or association required for the vacant position and request a list of three nominations from which to make the appointment.

5. The board shall develop a plan of operation for the efficient administration of the fund consistent with the provisions of sections 383.300 to 383.321. The fund must operate pursuant to a plan of operation which shall provide for the economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of excess medical malpractice insurance and which may contain other provisions including, but not limited to, assessment of all members for expenses, deficits, losses, commissions arrangements, reasonable underwriting standards, acceptance and cession of reinsurance appointment of servicing carriers, and procedures for determining the amounts of insurance to be provided by the Missouri health care stabilization fund. The plan of operation and any amendments to the plan are subject to the approval of the director. If the board fails to develop a plan of operation within the time frame established by the director, the director or the director's designee shall develop the plan of operation for the fund.

6. The board may appoint such additional employees, and provide all office space, services, equipment, materials and supplies, and all budgeting, personnel, purchasing, and related management functions required by the board in the exercise of the powers, duties, and functions imposed or authorized by sections 383.300 to 383.321.

7. The department of insurance shall:

(1) Provide technical and administrative assistance to the board with respect to administration of the fund upon request of the board; and

(2) Provide such expertise as the board may reasonably request with respect to evaluation of claims or potential claims.

383.309. All Missouri licensed health care providers shall participate in the fund and shall remit to the board the appropriate membership fees and premium surcharges as are required by section 383.312 on or before the provider's membership anniversary date.

383.312. 1. All health care providers shall participate in the Missouri health care stabilization fund and shall pay annual membership fees. The board, by rule, shall set the membership fees. The rule shall provide that fees may be paid annually or in semiannual or quarterly installments.

2. In addition to the membership fees delineated in subsection 1 of this section, the board shall levy an annual premium surcharge on each participating health care provider who has obtained a policy

meeting the requirements of section 383.315 and upon each self-insurer. The surcharge shall be determined by the board based upon sound actuarial principles, using data obtained from Missouri experience if available. The amount of the surcharge shall be adequate for the payment of claims and expenses from the Missouri health care stabilization fund. The amount of the surcharge shall be reasonable and not unfairly discriminatory.

3. The surcharge shall be collected on the same basis as premiums by each insurer from the health care provider. The surcharge with accrued interest shall be due and payable within thirty days after the premiums for medical malpractice insurance have been received by the insurer from the health care provider in Missouri.

4. If the annual premium surcharge is collected but not paid within the time limit specified in subsection 3 of this section, the certificate of authority of the insurer, risk manager, or surplus lines agents shall be suspended until the annual premium surcharge is paid.

5. Membership in the fund is contingent upon the participating member making timely payment of all membership fees and all premium surcharges.

6. Self-insureds shall be eligible for membership in the fund upon compliance with the requirements of the board and shall pay similar membership fees and premium surcharges as the members. The surcharge for self-insureds shall be in an amount determined by the board. The amount of the surcharge imposed on the self-insured shall be in an amount comparable to what a health care provider would be required to pay if the provider's surcharge was based upon a policy of medical malpractice insurance.

383.315. 1. All books, records, and audits of the fund are open for reasonable inspection to the general public.

2. On or before December thirty-first of each year the state auditor shall audit the records of the fund and shall furnish an audited financial report to all fund participants, the department of insurance, and the general assembly.

383.318. 1. All health care providers shall participate in the Missouri health care stabilization fund and shall either insure and keep insured the health care provider's liability by a policy of medical malpractice insurance issued by an insurer authorized to do business in this state or shall qualify as a self-insurer. Qualification as a self-insurer is subject to conditions established by the board. The board may establish conditions that permit a self-insurer to self-insure for claims that are against employees who are health care providers and that are not covered by the fund.

2. The liability limits for a policy of medical malpractice insurance required by subsection 1 of this section shall not be less than two hundred thousand dollars per claim, and shall not be less than six hundred thousand dollars for all claims in any one reporting year.

3. Each insurance company issuing medical malpractice insurance policies that meet the requirements of this section shall, at the times prescribed by the director, file with the director in a form prescribed by the director, a certificate of insurance on behalf of the health care provider upon original issuance and each renewal.

4. Each self-insured health care provider furnishing coverage that meets the requirements of this section shall, at the time and in a form prescribed by the board, file with the board a certificate of self-

insurance and a separate certificate of insurance for each additional health care provider covered by the self-insured plan.

383.321. 1. A person filing a claim may recover from the fund only if the health care provider or the employee of the health care provider has coverage under the fund, the fund is named as a party in the action, and the action against the fund is commenced within the same time limitation within which the action against the health care provider or employee of the health care provider must be commenced.

2. If, after reviewing the facts upon which the claim or action is based, it appears reasonably probable that damages paid will exceed the limits provided in section 383.318, the fund may appear and actively defend itself when named as a party in an action against a health care provider, or an employee of a health care provider, that has coverage under the fund. In such action, the fund may retain counsel and pay out of the fund attorney fees and expenses including court costs incurred in defending the fund. The attorney or law firm retained to defend the fund shall not be retained or employed by the board to perform legal services for the board of other than those directly connected with the fund. Any judgment affecting the fund may be appealed as provided by law.

3. It shall be the responsibility of the insurer or self-insurer providing insurance or self-insurance for a health care provider who is also covered by the fund to provide an adequate defense of the fund on any claim filed that may potentially affect the fund with respect to such insurance contract or self-insurance contract. The insurer or self-insurer shall act in good faith and in a fiduciary relationship with respect to any claim affecting the fund. No settlement exceeding an amount which could require payment by the fund may be agreed to unless approved by the board.

4. A person who has recovered a final judgment or a settlement approved by the board against a health care provider, or an employee of a health care provider that has coverage under the fund, may file a claim with the board to recover that portion of such judgment or settlement which is in excess of the limits provided in section 383.318 or the maximum liability limit for which the health care provider is insured, whichever limit is greater. In no event, however, shall the amount recoverable from the fund exceed the amounts established under subsection 3 of section 383.303. Payments shall be made from money collected and paid into the fund and from interest earned thereon.

5. Claims filed against the fund shall be paid in the order received within ninety days after filing unless appealed by the fund. If the amounts in the fund are not sufficient to pay all of the claims, claims received after the funds are exhausted shall be immediately payable the following year in the order in which they were received.

6. The board may bring an action against an insurer, self-insurer, or health care provider for failure to act in good faith or breach of fiduciary responsibility.

383.400. 1. As used in this section, the term “insurer” or “insurers” shall mean any insurance company, mutual insurance company, medical malpractice association, any entity created under this chapter, or other entity providing any insurance to any health care provider, as defined in section 538.205, practicing medicine in the state of Missouri, against claims for malpractice or professional negligence; provided, however, that the term “insurer” or “insurers” shall not mean any surplus lines insurer operating under chapter 384, or any entity to the extent it is self-insuring its exposure to medical malpractice liability.

2. Notwithstanding any other provision of law, no insurer shall, with regards to medical malpractice insurance as defined in section 383.150:

(1) Charge an assessment or surcharge, or increase the premium charges, by more than ten percent for such insurance without first providing written notice by certified United States mail to the insured at least sixty days prior to the effective date of such actions; provided, however, such notice is not required if the premium change is due to the request of the insured;

(2) Fail or refuse to renew the aforesaid insurance without first providing written notice by certified United States mail to the insured at least sixty days prior to the effective date of such actions, unless such failure or refusal to renew is based upon a failure to pay sums due or a termination or suspension of the health care provider's license to practice medicine in the state of Missouri, termination of the insurer's reinsurance program, or a material change in the nature of the insured's health care practice; or

(3) Cease the issuance of such policies of insurance in the state of Missouri without first providing written notice by certified United States mail to the insured and to the Missouri department of insurance at least one hundred eighty days prior to the effective date of such actions.

3. Any insurer that fails to provide the notice required under subdivisions (1) and (2) of subsection 2 of this section shall, at the option of the insured, continue the coverage in accordance with the provisions of subdivision (2) of subsection 6 of section 379.321.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** is out of order as it goes beyond the subject matter of the underlying bill.

Senator Lager assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it not well taken.

SA 1 was again taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Kraus, Lamping, Schaaf and Rupp.

Senator Dixon offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Bill No. 112, Pages 1-5, Section 383.206, by striking all of said section from the amendment; and further amend said amendment page 7, section 383.306, line 24 by striking the word “nine” and inserting in lieu thereof the following: “**ten**”; and further amend said amendment, page 8, line 19, by striking the word “and” and inserting in lieu thereof the following:

“(8) One member who is a representative of the long term care industry and who is on a list of nominees submitted to the director by the long term care industry; and”; and

Further renumber the remaining subdivision accordingly.

Senator Dixon moved that **SA 1** to **SA 1** be adopted and requested a roll vote be taken. He was joined in his request by Senators Keaveny, Justus, Lamping and Holsman.

SA 1 to **SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Justus	Keaveny	Lager	LeVota
McKenna	Nasheed	Schaefer	Schmitt	Sifton	Silvey	Walsh—15	

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lamping	Libla
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Wallingford	Wasson—19					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SA 1 was again taken up.

Senator Schaefer moved that **SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Justus	Keaveny	Lager	LeVota
McKenna	Schaefer	Schmitt	Sifton	Walsh—13			

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lamping	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Silvey	Wallingford	Wasson—21			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 112, Page 2, Section 538.210, Line 9, by striking “three hundred fifty thousand” and inserting in lieu thereof the following: “**one million**”; and further amend line 36, by inserting after all of said line the following:

“8. The limitation on awards for noneconomic damages provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the

Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall submit that value to the secretary of state, to publish in the Missouri Register as soon after each January first as practicable. Publication of the value shall be exempt from the provisions of section 536.021.”.

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

At the request of Senator Brown, **HB 112**, with **SA 2** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

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

HCS for HB 601—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 881—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 275—Small Business, Insurance and Industry.

HCS for HB 76—Education.

HCS for HB 344—Veterans’ Affairs and Health.

HCS for HB 387—Financial and Governmental Organizations and Elections.

HCS for HB 415—Transportation and Infrastructure.

HCS for HB 348—Education.

HCS for HB 543—Governmental Accountability and Fiscal Oversight.

HCS for HB 372—General Laws.

HCS for HB 541—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 161—Jobs, Economic Development and Local Government.

HCS for HB 589—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 78—Jobs, Economic Development and Local Government.

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 Speaker has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 1**. Representatives: Stream, Flanigan, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2**. Representatives: Stream, Lair, and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 3**. Representatives: Stream, Flanigan, and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 4**. Representatives: Stream, Hoskins, and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 5**. Representatives: Stream, Parkinson, and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**, as amended. Representatives: Stream, Redmon, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 7**, as amended. Representatives: Stream, Flanigan, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Stream, Haefner, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Stream, Flanigan, and Schupp.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 10**. Representatives: Stream, Allen, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for

HB 11, as amended. Representatives: Stream, Flanigan, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 12**. Representatives: Stream, Flanigan, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 13**. Representatives: Stream, Flanigan, and Kirkton.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 847, regarding Edwin G. Carlstrom, Hazelwood, which was adopted.

Senator Kehoe offered Senate Resolution No. 848, regarding Zachary L. Aughtman, Loose Creek, which was adopted.

Senator Kehoe offered Senate Resolution No. 849, regarding Chad Andrew Stegeman, Loose Creek, which was adopted.

Senator Kehoe offered Senate Resolution No. 850, regarding Gavin M. Williams, Loose Creek, which was adopted.

Senator Walsh offered Senate Resolution No. 851, regarding Robert C. Muckler, Ballwin, which was adopted.

Senator Kraus offered Senate Resolution No. 852, regarding Jessi Cox, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 853, regarding Kay Rader, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Taiylor Llewellyn, Warrensburg.

Senator Pearce introduced to the Senate, Dr. Chad Stebbins, Ms. Britta Wright, faculty, staff and two hundred twenty-seven international students, representatives of 2013 Missouri International Education Day.

Senator Munzlinger introduced to the Senate, Superintendent Will Perkins, Mrs. Tatum Reed, Mrs. Faith Christophel, Mr. Aaron Baker and nineteen fourth grade students from Atlanta C-3 School District.

Senator Silvey introduced to the Senate, fifth and seventh grade students from Faith Christian Academy, Kansas City.

Senator Sater introduced to the Senate, international students from College of the Ozarks, Point Lookout.

Senator Justus introduced to the Senate, former State Senator Charles Wheeler, Kansas City.

Senator Schaaf introduced to the Senate, Jim and Marsha Conant, St. Joseph.

Senator Kehoe introduced to the Senate, Ms. Hopkins, Ms. Ziegelbein and thirty-six fifth grade students

from Trinity Lutheran School, Jefferson City; and Brooke Bates was made an honorary page.

Senator Pearce introduced to the Senate, Dr. Judith DeLany, Superintendent, Carrollton R-VII School District.

Senator Richard introduced to the Senate, Gary Melhorn, M.D., Springfield.

Senator Emery introduced to the Senate, Roger Berg, Stephanie Wimsatt, Cecil Collins and eight fifth and sixth grade students from Training Center Christian School, Garden City.

Senator Chappelle-Nadal introduced to the Senate, Dr. Sharmon Wilkinson, Superintendent, Clayton School District; Dr. Joylynn Pruitt, Superintendent, University City School District; and Dr. Alexander Babich, University City.

Senator Keaveny introduced to the Senate, P. Kumar Rao, M.D., David Salvay, M.D., Manik Goel, M.D., Sarah Jacobs, M.D., Bradley Shoss, M.D., Cecilia Lee, M.D. and Mouhammed Abuattieh, M.D., Washington University, St. Louis.

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

SENATE CALENDAR

SIXTIETH DAY—WEDNESDAY, MAY 1, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HJR 26
HCS for HB 653
HB 421-Curtman
HCS for HB 986

HCS for HB 675
HCS for HB 285
HCS for HB 859

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)
SS for SB 401-Rupp (In Fiscal Oversight)

SS for SCS for SB 437-Pearce
SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 30-Brown, with SCS	SB 375-Nieves, with SCS
SB 325-Nieves	SB 52-Munzlinger and Romine, with SCS
SB 78-Lamping, with SCS	

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager) (In Fiscal Oversight)	10. HB 316-Phillips, et al (Sater) (In Fiscal Oversight)
2. HB 542-Love, et al, with SCS (Munzlinger)	11. HCS for HBs 446 & 211 (Cunningham)
3. HB 329-Dugger and Crawford, with SCS (Cunningham)	12. HB 478-Wieland, et al (Romine)
4. HCS for HBs 256, 33 & 305 (Kehoe)	13. HCS for HBs 374 & 434, with SCS (Dixon)
5. HB 346-Molendorp (Wasson)	14. HCS for HB 215, with SCS (Dixon) (In Fiscal Oversight)
6. HB 331-Miller and Funderburk (Emery)	15. HB 400-Riddle, et al (Wallingford)
7. HCS for HB 194 (Parson) (In Fiscal Oversight)	16. HB 274-Brattin, et al, with SCS (Brown) (In Fiscal Oversight)
8. HB 307-Riddle, et al, with SCS (Schmitt)	17. HCS for HB 168 (Kraus) (In Fiscal Oversight)
9. HCS for HB 656 (Nasheed)	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 210-Lamping and Nieves, 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 250-Schaaf, with SCS
SB 48-Lamping	SB 259-Schaaf, with SCS
SB 53-Lamping	SB 272-Nieves, with SA 2 (pending)
SB 61-Keaveny, with SCA 1 (pending)	SB 285-Romine
SB 65-Dixon, with SCS	SB 291-Rupp
SB 82-Schaefer, with SCS	SB 292-Rupp
SB 109-Brown, with SCS	SB 308-Schaaf
SB 133-Keaveny and Holsman, with SCS & SA 1 (pending)	SB 315-Pearce
SB 141-Dempsey	SB 339-Romine
SB 167-Sater and Wallingford, with SCS	SB 343-Parson
SB 174-Parson, with SCS	SB 364-Parson
SB 175-Wallingford	SB 371-Munzlinger, with SCS
SB 207-Kehoe, et al, with SCS	SB 377-Dixon
	SB 383-Wallingford

SB 396-Holsman and Chappelle-Nadal,
with SCS
SB 403-Rupp, with SCS
SB 410-Kehoe
SB 419-Lager, with SCS

SB 423-Nasheed
SB 441-Dempsey
SB 448-Schmitt and Keaveny
SB 455-Nieves, with SCS
SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
HB 55-Flanigan and Allen, with SCS
(Schaefer)
HB 112-Burlison, with SA 2 (pending)
(Brown)
HB 184-Cox, et al (Parson)

HCS for HB 199 (Lamping)
HB 432-Funderburk, et al, with SCS
(Lager)
HCS for HB 436, with SCS (pending)
(Nieves)
HCS for HB 457, with SCS (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HCS for HB 1, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS, as amended
(Schaefer)
HCS for HB 7, with SCS, as amended
(Schaefer)

HCS for HB 8, with SCS (Schaefer)
HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)
HCS for HJRs 11 & 7, with SS, as amended
(Parson)

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