

Journal of the Senate

FIRST REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 10, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Thus says the Lord...let everyone return home, for this thing is from me.” (2 Chronicles 11:4)

God Our Father, we pray for safe travel as we return to loved ones after an exciting but shortened week. Guide us and make our ways safe protected by Your presence. Make our homecoming joyful and our time in Your house enriching and meaningful. 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	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 12, regarding Philip W. “Phil” Livesay, Hannibal, which was adopted.

Senator Dixon offered Senate Resolution No. 13, regarding Certified Public Managers® program, which was adopted.

Senator Parson offered Senate Resolution No. 14, regarding Blake Andrew Brodersen, which was adopted.

Senator Parson offered Senate Resolution No. 15, regarding Pam Naylor, Buffalo, which was adopted.

Senators Dempsey, Richard and Justus, joined by the entire membership, offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 16

Whereas, the members of the Missouri Senate feel it is altogether right and proper to pause from time to time to observe milestones in the lives of Missouri citizens who have distinguished themselves by their exemplary service to this legislative body; and

Whereas, the members now pause to recognize Ken Holman of Jefferson City, Missouri, who stepped from his post as Head Senate Doorkeeper, an elected position, at the end of 2012, after twenty-two years of loyal and dedicated service; and

Whereas, born in Kansas City, Missouri, Ken Holman is a decorated veteran of World War II, during which he served courageously in Italy from 1944 to 1946 as a proud member of the United States Army, 92nd Division, 370th Infantry Regiment, Company A; and

Whereas, a brave and valiant soldier, Ken Holman earned many military honors, including the Combat Infantry Badge, Purple Heart, Bronze Star, African European Theater Ribbon, American Theater Ribbon, Good Conduct Medal, and World War II Victory Medal; and

Whereas, following his honorable discharge from the United States Army, Ken Holman embarked upon a number of successful careers related to selling cars, working for the Union Pacific Railroad, and serving as Manager of General Services for the Missouri Department of Revenue for ten years; and

Whereas, Ken Holman secured a position as Assistant Doorkeeper for the Missouri Senate in 1991 and rose to the position of Head Doorkeeper in 1998, while Bill McKenna served as the President Pro Tem of the Missouri Senate; and

Whereas, widely respected for his community involvement, Ken Holman is an active member of the Ancient Free & Accepted Masons and Shriners International; and

Whereas, Ken Holman has achieved his many successes with the love and support of an exceptional family whose members include his wife, Ann, his son, Keith Holman, his daughter, Penny Holman, and his two grandchildren:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join unanimously to celebrate the life accomplishments of Ken Holman, to express our most sincere gratitude for his exemplary service to the members, staff, and guests of the Missouri Senate, and to extend our very best wishes for continued health and happiness as he embarks on the next chapter in his full, rich, and eventful life; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to Ken Holman as a mark of our affection and regard.

Senator Kraus offered Senate Resolution No. 17, regarding Tim Richardson, which was adopted.

Senator Kraus offered Senate Resolution No. 18, regarding Christopher J. Thibault, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 19, regarding the city of Lee’s Summit, which was adopted.

Senator Kehoe assumed the Chair.

INTRODUCTION OF BILLS

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

SB 126—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

SB 127—By Sater.

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

SB 128—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to electronic benefits transfer cards.

SB 129—By Sater.

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

SB 130—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

SB 131—By Nasheed.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 132—By Keaveny.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for pre-kindergarten programs.

SB 133—By Keaveny.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for pre-kindergarten programs.

SJR 10—By Nasheed.

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

RESOLUTIONS

Senator Dempsey moved that **SR 9** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 9** was adopted by the following vote:

YEAS—Senators

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

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following committee appointments:

Gubernatorial Appointments

Senator Schmitt

Agriculture, Food Production and Outdoor Resources

Munzlinger, Chair

Libla, Vice-Chair

Brown

Curls

McKenna

Parson

Pearce

Appropriations

Schaefer, Chair

Rupp, Vice-Chair

Brown

Curls

Kehoe

Pearce

Schaaf

Sifton

Silvey

Walsh

Commerce, Consumer Protection, Energy and the Environment

Lager, Chair

Kehoe, Vice-Chair

Kraus
Cunningham
Emery
Holsman
Keaveny
Schaefer
Wallingford
Walsh

Education

Pearce, Chair
Romine, Vice-Chair
Brown
Chappelle-Nadal
Curls
Emery
Holsman
Libla
Nieves
Rupp

Financial and Governmental Organizations and Elections

Wasson, Chair
Cunningham, Vice-Chair
Dixon
Keaveny
Kraus
LeVota
Pearce
Sater
Sifton
Wallingford

General Laws

Nieves, Chair
Schaaf, Vice-Chair
Holsman
Libla
Nasheed
Romine
Silvey

Governmental Accountability and Fiscal Oversight

Parson, Chair

Silvey, Vice-Chair

Cunningham

Kehoe

LeVota

Nasheed

Wasson

Jobs, Economic Development and Local Government

Schmitt, Chair

Dixon, Vice-Chair

Justus

Kraus

Lamping

McKenna

Nasheed

Romine

Sater

Wasson

Judiciary and Civil and Criminal Jurisprudence

Dixon, Chair

Emery, Vice-Chair

Justus

Keaveny

Schaaf

Schaefer

Schmitt

Progress and Development

Justus, Chair

Curls, Vice-Chair

Silvey

Wallingford

Walsh

Seniors, Families and Pensions

Lamping, Chair

Sater, Vice-Chair

Chappelle-Nadal

Keaveny

Kraus

Libla

Romine

Small Business, Insurance and Industry

Rupp, Chair
Parson, Vice-Chair
Curls
Munzlinger
Wallingford
Walsh
Wasson

Transportation and Infrastructure

Kehoe, Chair
Lamping, Vice-Chair
Dixon
Holsman
McKenna
Munzlinger
Wasson

Veterans' Affairs and Health

Brown, Chair
Schaaf, Vice-Chair
Chappelle-Nadal
Cunningham
Holsman
Nieves
Sater
Schmitt
Sifton
Silvey

Ways and Means

Kraus, Chair
Wallingford, Vice-Chair
Chappelle-Nadal
Emery
Lager
Lamping
LeVota
Parson
Schmitt
Sifton

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

**SENATE HEARING SCHEDULE
97th GENERAL ASSEMBLY
FIRST REGULAR SESSION
JANUARY 10, 2013**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation and Infrastructure SCR 1 (Kehoe)	
8:15 a.m.		Seniors, Families, and Pensions SCR 1 (Lamping)		
8:30 a.m.			Gubernatorial Appointments SL (Dempsey)	Ways and Means SCR 1 (Kraus) Veterans' Affairs and Health SL (Brown)
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Rupp) Rules, Joint Rules, Resolutions and Ethics SL (Richard)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.			Progress and Development SCR 2 (Justus)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager) General Laws SCR 1 (Nieves)	Governmental Accountability and Fiscal Oversight SCR 1 (Parson) Education SL (Pearce)	
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Dixon)			

SECOND READING OF SENATE BILLS

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

- SB 1**—Small Business, Insurance and Industry.
- SB 2**—Financial and Governmental Organizations and Elections.
- SB 3**—Education.
- SB 4**—Rules, Joint Rules, Resolutions and Ethics.
- SB 5**—Jobs, Economic Development and Local Government.
- SB 6**—Commerce, Consumer Protection, Energy and the Environment.
- SB 7**—Education.
- SB 8**—Education.
- SB 9**—Education.
- SB 10**—Jobs, Economic Development and Local Government.
- SB 11**—Ways and Means.
- SB 12**—Judiciary and Civil and Criminal Jurisprudence.
- SB 13**—Commerce, Consumer Protection, Energy and the Environment.
- SB 14**—Veterans’ Affairs and Health.
- SB 15**—Jobs, Economic Development and Local Government.
- SB 16**—Agriculture, Food Production and Outdoor Resources.
- SB 17**—Financial and Governmental Organizations and Elections.
- SB 18**—Governmental Accountability and Fiscal Oversight.
- SB 19**—Jobs, Economic Development and Local Government.
- SB 20**—Jobs, Economic Development and Local Government.
- SB 21**—Judiciary and Civil and Criminal Jurisprudence.
- SB 22**—Judiciary and Civil and Criminal Jurisprudence.
- SB 23**—Jobs, Economic Development and Local Government.
- SB 24**—Jobs, Economic Development and Local Government.
- SB 25**—Jobs, Economic Development and Local Government.
- SB 26**—Ways and Means.
- SB 27**—Financial and Governmental Organizations and Elections.
- SB 28**—Small Business, Insurance and Industry.
- SB 29**—Small Business, Insurance and Industry.

- SB 30**—Small Business, Insurance and Industry.
- SB 31**—Ways and Means.
- SB 32**—Jobs, Economic Development and Local Government.
- SB 33**—Seniors, Families and Pensions.
- SB 34**—Small Business, Insurance and Industry.
- SB 35**—Ways and Means.
- SB 36**—Judiciary and Civil and Criminal Jurisprudence.
- SB 37**—General Laws.
- SB 38**—Rules, Joint Rules, Resolutions and Ethics.
- SB 39**—Ways and Means.
- SB 40**—Small Business, Insurance and Industry.
- SB 41**—Commerce, Consumer Protection, Energy and the Environment.
- SB 42**—Ways and Means.
- SB 43**—Transportation and Infrastructure.
- SB 44**—Judiciary and Civil and Criminal Jurisprudence.
- SB 45**—Judiciary and Civil and Criminal Jurisprudence.
- SB 46**—Jobs, Economic Development and Local Government.
- SB 47**—Seniors, Families and Pensions.
- SB 48**—Seniors, Families and Pensions.
- SB 49**—Seniors, Families and Pensions.
- SB 50**—Judiciary and Civil and Criminal Jurisprudence.
- SB 51**—Transportation and Infrastructure.
- SB 52**—Judiciary and Civil and Criminal Jurisprudence.
- SB 53**—Financial and Governmental Organizations and Elections.
- SB 54**—Financial and Governmental Organizations and Elections.
- SB 55**—Financial and Governmental Organizations and Elections.
- SJR 1**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 2**—Ways and Means.

MESSAGES FROM THE HOUSE

The following message was 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 adopted **SCR 1**.

Also, I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Representatives to act with a like committee from the Senate pursuant to **SCR 1**.

Representatives: Gannon, Gatschenberger, Haahr, Haefner, Lant, Rehder, Rowden, Torpey, Walker, Burns, Butler, McCann-Beatty, McKenna, Montecillo, Pace, Rizzo, Schupp and Webb.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following committee, pursuant to **SCR 1**: Senators Curls, Dempsey, Holsman, Justus, Keaveny, Kehoe, LeVota, McKenna, Nasheed, Nieves, Richard, Rupp, Schaaf, Schaefer, Schmitt, Sifton, Walsh and Wasson.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 20, regarding Theodore J. “Tad” Heitzler, Florissant, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, faculty and student athletes representing Osage R-III, Fatima High School, Westphalia: Superintendent Joe Scott, Principal Chuck Woody and Assistant Principal/Athletic Director Jeff Buthod; the 2012 Volleyball State Champions: Bailey Berhorst, Brooke Berhorst, JoAnna Muenks, Angela Keilholz, Anna Bonnot, Morgan Bax, Kayla Nilges, Shelby Thoenen, Chelsea Skidmore, Jordyn Williams, Brianna Kempker, Ashlynn Harmon, Kenadi Huhn, and Coaches: Mark Bockstruck, Ed Thoenen, and Krista Verhoff; Coaches Marc Bridges, Nicole Cassmeyer, Stacy Kempker and members of the Boys Track and Field team; members of the Boys Cross Country team; and Girls Track State Champion, Lauren Allen.

Senator Dixon introduced to the Senate, Scott Scobee, Springfield.

Senator Dempsey introduced to the Senate, Ken Holman and his wife, Ann; daughter, Penny; granddaughter, Alexis Kinney; nephew, Clarence Maurice White and his wife, Donna; great-nephew, Vincent Westley; Shaqil Scott; Latrice Stringer; and Reid Millard.

On motion of Senator Richard, the Senate adjourned until 10:30 a.m., Monday, January 14, 2013.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 14, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger

SB 57-Romine

SB 58-Romine

SB 59-Rupp

SB 60-Rupp

SB 61-Keaveny

SB 62-Keaveny	SB 102-Kraus
SB 63-Schmitt	SB 103-Kraus
SB 64-Dixon	SB 104-Kraus
SB 65-Dixon	SB 105-Brown
SB 66-Dixon	SB 106-Brown
SB 67-Dixon	SB 107-Lamping
SB 68-Parson	SB 108-Kraus
SB 69-Keaveny	SB 109-Brown
SB 70-Munzlinger	SB 110-Brown
SB 71-Parson	SB 111-Emery
SB 72-Schaefer	SB 112-Rupp and Richard
SB 73-Schaefer	SB 113-Schmitt
SB 74-Richard	SB 114-Schmitt
SB 75-Brown	SB 115-Schmitt
SB 76-Brown	SB 116-Kraus
SB 77-Lamping	SB 117-Kraus
SB 78-Lamping	SB 118-Kraus
SB 79-Lamping	SB 119-Emery
SB 80-Romine	SB 120-Schmitt
SB 81-Schaefer	SB 121-Schaefer
SB 82-Schaefer	SB 122-Schaefer
SB 83-Parson	SB 123-Chappelle-Nadal
SB 84-Rupp	SB 124-Chappelle-Nadal
SB 85-McKenna	SB 125-Nasheed
SB 86-Keaveny	SB 126-Sater
SB 87-Schaaf	SB 127-Sater
SB 88-Schaaf	SB 128-Sater
SB 89-Munzlinger	SB 129-Sater
SB 90-McKenna	SB 130-Schaefer
SB 91-Justus	SB 131-Nasheed
SB 92-Justus	SB 132-Keaveny
SB 93-Justus	SB 133-Keaveny
SB 94-Justus	SJR 3-Schaefer
SB 95-Justus	SJR 4-Lamping
SB 96-Justus	SJR 5-Lamping
SB 97-Schaefer	SJR 6-Kraus
SB 98-Schaefer	SJR 7-Dixon
SB 99-Keaveny	SJR 8-Dixon
SB 100-Keaveny	SJR 9-Emery
SB 101-Wasson	SJR 10-Nasheed

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

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