

# Journal of the Senate

FIRST REGULAR SESSION

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**TWELFTH DAY—WEDNESDAY, JANUARY 30, 2013**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore, my beloved, be steadfast, immovable, always excelling in the work of the Lord, because you know that in the Lord your labor is not in vain.” (I Corinthians 15:57-58)

Gracious Lord, we are thankful for Your presence in our lives and the strength You give us to fulfill our daily task and for providing for our earthly needs. Help us to stay focused on You as we do our work and live through each day as Your own. 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 Dempsey offered Senate Resolution No. 168, regarding Officer Paul Price, which was adopted.

Senator Dempsey offered Senate Resolution No. 169, regarding Detective Doug Endsley, which was adopted.

Senator Dempsey offered Senate Resolution No. 170, regarding Officer Karen Meiser, which was adopted.

Senator Dempsey offered Senate Resolution No. 171, regarding Officer Phil Erdmann, which was adopted.

Senator Dempsey offered Senate Resolution No. 172, regarding Terry A. Zeisler, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 173, regarding Jeanne Stanfill, which was adopted.

Senator Dempsey offered Senate Resolution No. 174, regarding Loria L. James, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 175, regarding Rich Paulson, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 176, regarding Todd Barrow, Saint Louis, which was adopted.

Senator Dempsey offered Senate Resolution No. 177, regarding William Fry, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 178, regarding Courtney Baltzell, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 179, regarding Derek Sissom, which was adopted.

Senator Dempsey offered Senate Resolution No. 180, regarding Julie Jackson, which was adopted.

Senator Dempsey offered Senate Resolution No. 181, regarding Daniel Nowack, which was adopted.

Senator Dempsey offered Senate Resolution No. 182, regarding Sergeant Ray Juengst, which was adopted.

Senator Dempsey offered Senate Resolution No. 183, regarding Detective Dave Kleinschmidt, which was adopted.

Senator Dempsey offered Senate Resolution No. 184, regarding James “Jim” Brooks, which was adopted.

Senator Dempsey offered Senate Resolution No. 185, regarding Jim Thro’s Automotive, which was adopted.

Senator Richard offered Senate Resolution No. 186, regarding Furniture Rescue, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 187, regarding Joplin 3D4D Imaging Center, LLC, which was adopted.

Senator Sater offered Senate Resolution No. 188, regarding Mount Vernon Regional Arts Council, which was adopted.

Senator LeVota offered Senate Resolution No. 189, regarding the Fiftieth Anniversary of Blackburn Elementary School, Independence, which was adopted.

### **INTRODUCTION OF BILLS**

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

**SB 236**—By Parson.

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

**SB 237**—By Emery.

An Act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

**SB 238**—By Emery.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

**SB 239**—By Emery.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to elementary and secondary education.

**SB 240**—By Lager.

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

**SB 241**—By Lager.

An Act to repeal sections 386.020, 392.415, and 392.461, RSMo, and to enact in lieu thereof twelve new sections relating to broadband.

**SB 242**—By Kehoe.

An Act to repeal section 171.181, RSMo, and to enact in lieu thereof one new section relating to the sale or provision of certain commodities to seven director school districts, with existing penalty provisions.

**SB 243**—By Brown.

An Act to repeal section 566.093, RSMo, and to enact in lieu thereof one new section relating to the crime of sexual misconduct in the second degree, with a penalty provision.

### **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred SCS for **SBs 10** and **25**, begs leave to report that it has examined the same and finds that the bill has been

truly perfected and that the printed copies furnished the Senators are correct.

### **REFERRALS**

President Pro Tem Dempsey referred **SCS** for **SBs 10** and **25** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Schmitt assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

Senator Lamping moved that **SB 47**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS** for **SB 47**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 47**

An Act to repeal section 453.072, RSMo, and to enact in lieu thereof one new section relating to subsidized legal guardianship of a child.

Was taken up.

Senator Lamping moved that **SCS** for **SB 47** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 47** was declared perfected and ordered printed.

Senator Lamping moved that **SB 48** be taken up for perfection, which motion prevailed.

On motion of Senator Lamping, **SB 48** was placed on the Informal Calendar.

### **COMMUNICATIONS**

President Pro Tem Dempsey submitted the following:

January 28, 2013

Senator Dempsey  
President Pro Tem  
Rm 326, State Capitol,  
Jefferson City, MO 65101

Dear Senator Dempsey,

I write to you requesting my resignation from the Joint Committee on Education. Please contact my office if you have any questions or concerns.

Thank You,

/s/ Joe Keaveny

Senator Joe Keaveny

### **INTRODUCTIONS OF GUESTS**

Senator Wallingford introduced to the Senate, Jay and Cindy Knudtson, Cape Girardeau.

On behalf of Senator Schaefer, Senator Kehoe introduced to the Senate, Director Mona Lara and representatives of Missouri Youth Ambassadors from around the state.

Senator Emery introduced to the Senate, State Vice President Janet Akers, Missouri Cattlemen's Association, Clinton.

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

SENATE CALENDAR

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THIRTEENTH DAY—THURSDAY, JANUARY 31, 2013

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 126-Sater	SB 156-Sater
SB 127-Sater	SB 157-Sater
SB 128-Sater	SB 158-Sater
SB 129-Sater	SB 159-Schmitt, et al
SB 130-Schaefer	SB 160-Pearce
SB 131-Nasheed	SB 161-Pearce
SB 132-Keaveny and Holsman	SB 162-Keaveny
SB 133-Keaveny and Holsman	SB 163-Kraus
SB 134-Sater	SB 164-Walsh
SB 135-Sater	SB 165-Walsh
SB 136-Sater	SB 166-Schaaf
SB 137-Sater	SB 167-Sater and Wallingford
SB 138-Kraus	SB 168-Chappelle-Nadal
SB 139-Kehoe	SB 169-Chappelle-Nadal
SB 140-Brown	SB 170-Chappelle-Nadal
SB 141-Dempsey	SB 171-Chappelle-Nadal
SB 142-Sifton	SB 172-Chappelle-Nadal
SB 143-Walsh	SB 173-Nasheed
SB 144-Walsh	SB 174-Parson
SB 145-Walsh	SB 175-Wallingford
SB 146-Schaaf	SB 176-Schmitt, et al
SB 147-Wasson	SB 177-Schmitt
SB 148-Wasson	SB 178-Schaaf
SB 149-Keaveny	SB 179-Parson, et al
SB 150-Munzlinger, et al	SB 180-Kraus
SB 151-Curls	SB 181-Kraus
SB 152-Curls	SB 182-Kehoe, et al
SB 153-Curls	SB 183-Sater
SB 154-Richard	SB 184-Sater
SB 155-Nasheed	SB 185-Sater

SB 186-Brown	SB 219-Sater
SB 187-Brown	SB 220-Lamping
SB 188-Romine	SB 221-Lamping
SB 189-Romine	SB 222-Lamping
SB 190-Walsh	SB 223-Curls
SB 191-Lamping	SB 224-Curls, et al
SB 192-Lamping, et al	SB 225-Curls
SB 193-Schaefer	SB 226-Schaefer
SB 194-Schaaf	SB 227-LeVota
SB 195-Keaveny	SB 228-Holsman
SB 196-Keaveny	SB 229-Brown
SB 197-Sater, et al	SB 230-Brown
SB 198-Chappelle-Nadal	SB 231-Munzlinger
SB 199-Chappelle-Nadal	SB 232-Wallingford
SB 200-Chappelle-Nadal	SB 233-Sater, et al
SB 201-Chappelle-Nadal	SB 234-Wasson
SB 202-Chappelle-Nadal	SB 235-Cunningham
SB 203-Chappelle-Nadal	SB 236-Parson
SB 204-Brown	SB 237-Emery
SB 205-Sater	SB 238-Emery
SB 206-Schaaf	SB 239-Emery
SB 207-Kehoe, et al	SB 240-Lager
SB 208-Justus and McKenna	SB 241-Lager
SB 209-Justus	SB 242-Kehoe
SB 210-Lamping and Nieves	SB 243-Brown
SB 211-Rupp	SJR 8-Dixon
SB 212-Cunningham	SJR 9-Emery
SB 213-Kraus	SJR 10-Nasheed and Walsh
SB 214-Silvey	SJR 11-Curls
SB 215-Silvey	SJR 12-Sater
SB 216-Silvey	SJR 13-Chappelle-Nadal
SB 217-LeVota	SJR 14-Schaefer, et al
SB 218-LeVota	

#### HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SS for SCS for SBs 20, 15 & 19-Dixon  
(In Fiscal Oversight)

SCS for SBs 10 & 25-Schmitt and  
Richard (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 48-Lamping

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